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THE NEW REPUBLIC

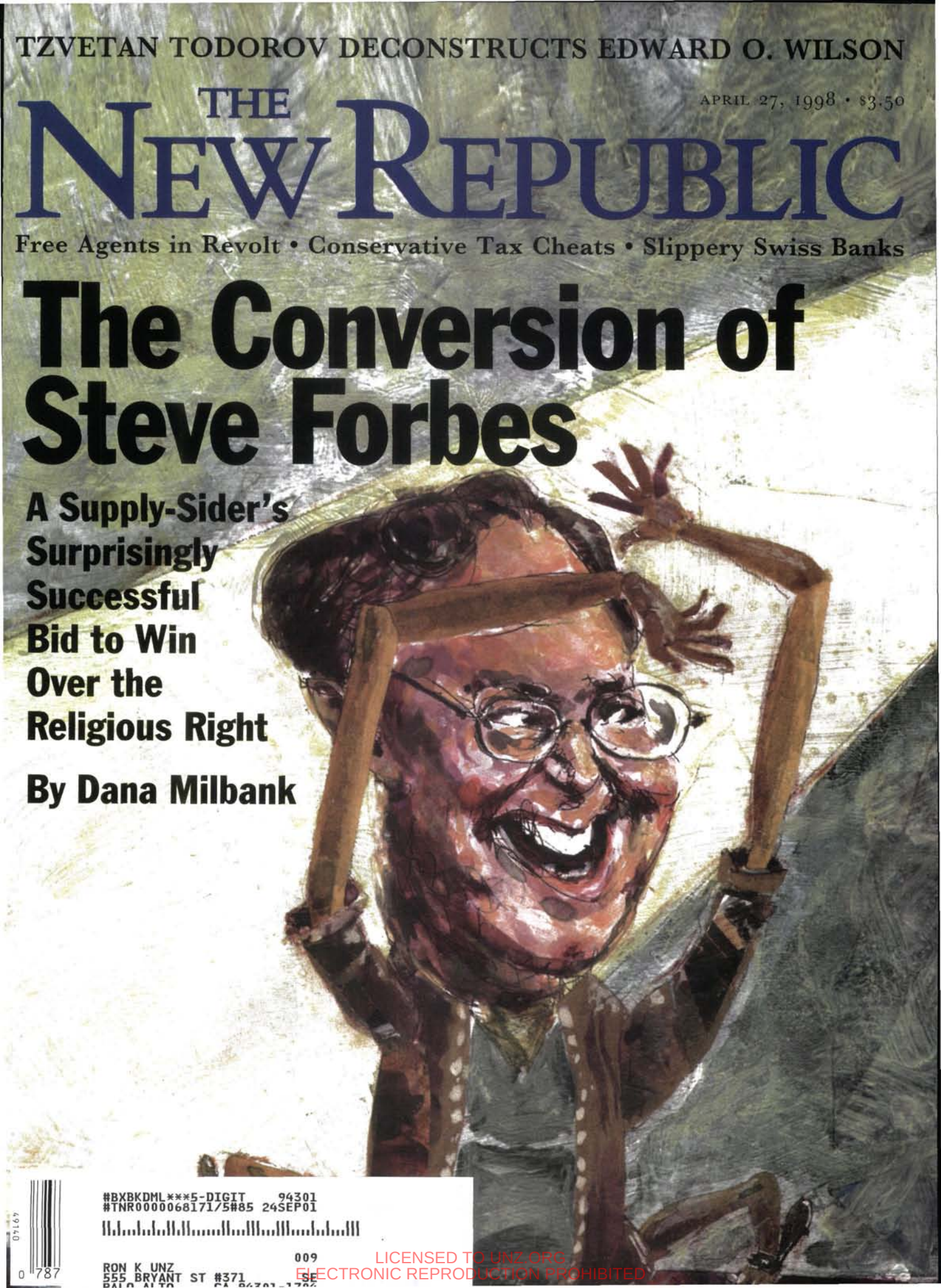
APRIL 27, 1998 • $3.50

Free Agents in Revolt • Conservative Tax Cheats • Slippery Swiss Banks

The Conversion of Steve Forbes

A Supply-Sider's Surprisingly Successful Bid to Win Over the Religious Right

By Dana Milbank



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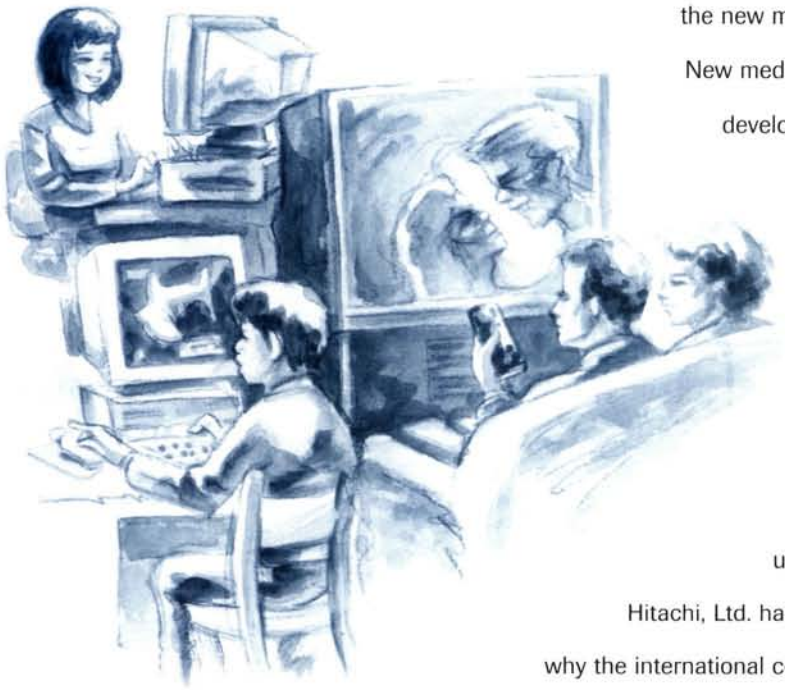

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THE NEW REPUBLIC

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APRIL 27, 1998

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CORRESPONDENCE

Strong medicine

To the editors:

In response to Arthur Allen's "Injection Rejection" (March 23): Whatever those responsible for developing, regulating, and promoting vaccines may think about my criticism of their policies, they cannot charge me with failing to come to the table with them, again and again, face-to-face, as a member of the National Vaccine Advisory Committee, and now as a member of the Vaccine Safety Forum at the Institute of Medicine and in many government-sponsored meetings and scientific workshops during the past 15 years to represent the legitimate concerns of both parents whose children have suffered catastrophic vaccine injuries and those who want to protect their children from becoming a vaccine-reaction statistic. I could not do that, year after year, if I were either an anti-government "conspiracy theorist" or "anti-vaccine." I am neither.

The suffering, which I witnessed when a DPT shot brain-injured my bright, healthy two-year-old son in 1980; when my son and daughter had whooping cough in 1992; and when I have talked with countless grieving mothers and fathers since cofounding the National Vaccine Information Center in 1982, has left an indelible mark on my conscience. No parent wants his or her child to be hurt by a disease or a vaccine, and I take very seriously the responsibility to do the research and get the facts straight before I write or say anything on this subject—a responsibility that should be shared by parents, doctors, public health officials, and medical writers alike.

Trust *is* fragile, and denying or distorting the truth is the best way to destroy it. The only conspiracy out there is a conspiracy of ignorance that takes its toll in human lives carelessly sacrificed in the name of the greater good.

BARBARA LOE FISHER
Washington, D.C.

To the editors:

Arthur Allen paints a lurid picture of cranks and conspiracy theorists objecting to immunization. Actually, a large number of highly educated people, many with doctorates in biology and medicine, have strongly opposed compulsory immunization. They are people who have seriously researched the problem and want the option to decide about immunization on a case-by-case basis.

The objections of the educated are not to immunization per se but to compulsory, across-the-board immunization.

HARRY RUBIN
Berkeley, California

To the editors:

As a pediatrician, I am interested in the subject of childhood vaccines and read professional journals regularly to keep abreast. I have never come across a piece that put so many aspects of the issue into clear focus as did "Injection Rejection." This article reminds me why I subscribe.

JOHN W. HELLERSTEDT
Via the Internet

War of words

To the editors:

David Rieff's recent review of my *The Warrior's Honor* ("The Humanitarian Illusion," March 16), a study of the impact of ethnic war on the modern conscience, characterizes me as a "meliorist in hell," unable to face up to the real crisis facing modern humanitarian action in the "vast Moebius strip of horror" of collapsing states in Africa and Asia. "Hell," I was sternly instructed, "is lost on meliorists." I was a decent fellow, Mr. Rieff allowed, but I did not understand that decency cannot be projected into places "where it does not exist." Condescending to decency is the characteristic moral pose of the tough-minded, and it can be ignored. What is less easy to ignore is being systematically misread.

The Warrior's Honor clearly stated that humanitarian interventions are a poor substitute for effective military and political ones. Both in 1992 and now, I defended the necessity of bombing Serbian military targets in Bosnia. Like everyone else, I denounce the moral abomination of promising civilians safe havens in Bosnia and then doing nothing to protect them. The book clearly states that humanitarian relief may have prolonged the war rather than helped to bring it to a conclusion. But Rieff is too busy inventing the ineffectual liberal handwringer that his rhetoric requires to notice that I actually share these commonplaces with him.

Rieff's tough-mindedness is a moral pose, since he pretends to face issues while actually ducking them altogether. He allows that the moral universalism of the Geneva Conventions and the Universal Declaration of Human Rights has "probably done at least as much good as harm," but he immediately derides my faith in these documents as useless sentimentalism. Since most people care more about family, friends, and neighbors than they do about strangers far away, he asks, "should the fate of Rwandan Tutsis or Bosnian Muslims really depend upon people in Akron, Ohio, or in Lyons, France?" It escapes Rieff's notice that you cannot take this position and also argue, as he did, for military intervention in Bosnia. For the primary grounds for military intervention in Bosnia were ethical: the very moral universalism he derides.

So what does the tough-minded realist propose? That we leave victims to *raison d'état* alone? To the tender mercies of the Pentagon and the State Department? Rieff wants to have it both ways: agreeing that moral universals are better than nothing and then scorning all those who make it their business to make them real and effective.

Does one make deals with perpetrators in order to gain access to victims? On this question Rieff also prefers to pose. He is scathing about the Red Cross's habit of making "bargains with murderers." It presumably follows that the Red Cross should not have negotiated access to Manjaca and Trnopolje, the Serbian concentration camps, where thousands of Bosnian Muslims were incarcerated in the summer of 1992. If this is where tough-mindedness leads, civilian victims would have perished.

He condemns the ethical neutrality of the ICRC and then suggests that the six Red Cross nurses who were murdered in cold blood while they slept in a hospital in Chechnya in December 1996 may have been killed because they had "antagonized the local fighters by stepping out of their traditional role of neutral medical personnel." What exactly is being said here? I cannot believe Rieff wants to imply that these innocent nurses got what they deserved. So where is tough-mindedness taking us? First, he criticizes the Red Cross for its ethical neutrality, and then he condemns it for failing to abide by it. It is not me who fails to face the moral dilemmas of humanitarian work; it is Rieff.

MICHAEL IGNATIEFF
London, England

David Rieff replies:

Michael Ignatieff's letter is of a piece with his book. It avoids the need to address specific events in their specificity. It also presents a disingenuous account of his positions on Bosnia, on the dilemmas of humanitarian aid, and on the ICRC. About his flattery of former Secretary-General Boutros-Ghali, which I excoriated in my review, Ignatieff is at least decently silent.

Ignatieff claims that he favored bombing Serbian military targets in 1992 and has never wavered from this position. This is true and false. For he maintained this position while simultaneously praising the work of the international negotiators Vance, Owen, and Stoltenberg, and of the UN peacekeeping effort in

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Bosnia. Ignatieff does not see the preposterousness of calling for bombing and simultaneously praising the men and the institutions whose publicly stated aim was to prevent bombing from ever taking place.

Ignatieff accuses me of inconsistency for criticizing him and also calling for intervention. But I was calling for military intervention, not humanitarian intervention. To base a call for intervention principally on ethical grounds, as Ignatieff does, is futile. In this, the vile Boutros-Ghali was right: On strictly humanitarian grounds, there were many places more cruelly martyred than Bosnia. To believe otherwise is to claim a special privilege for suffering white people. The reason to intervene in Bosnia was not only moral, it was also political: A new fascism had to be fought. I do not scorn moral universals, but alone they do not offer a basis for effective action. The humanitarian and human rights internationals are in crisis precisely because their lofty and sentimental strategies have been shown not to work in the field.

Ignatieff taxes me with being complacent about the Red Cross's efforts in northern Bosnia in 1992. But I lived in northern Bosnia for weeks on end in 1992. I was in Manjaca and Trnopolje. I saw, at first hand, what the ICRC accomplished—and also what it failed to accomplish. As far as I know, Ignatieff never set foot in Bosnia until after the war was over. I might make the same claim about Burundi. About the time Ignatieff flew in with Boutros-Ghali for that lightning visit, I was driving the forest roads from Ngozi to Bujumbura, often under fire. I do not mean to boast. Seeing for yourself is not a matter of authenticity; it is a matter of methodology.

Better Brahms

To the editors:

While I enjoyed Alex Ross's review of recent scholarship on the life of Johannes Brahms and his incidental review of recent recordings of Brahms's symphonies (the Second and Fourth in particular), I cannot help but notice that he neglected some recent performance scholarship in this area ("Why is Light Given?" March 23).

The recent cycle of recordings of the symphonies of Brahms by the London Classical Players and Roger Norrington are absent of the complaints Ross levies against the recordings of the BPO/Harnoncourt and SCO/Mackerras and others.

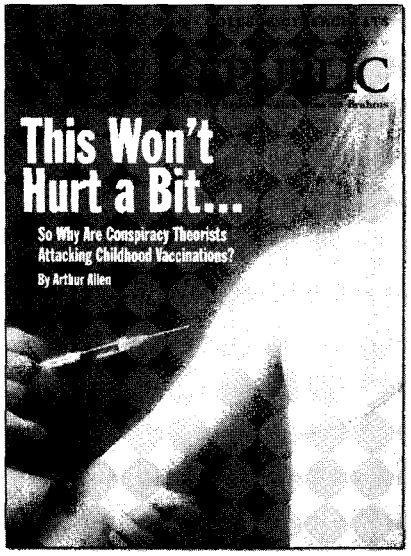
Choices are made with all interpretations of music, and with choice comes compromise. But, in a review of recent works about Brahms, one would think that the reviewer would choose to review recordings that would lend even greater insight to the life and work of a man for whom mystery, melancholy, retrospection, and introspection were key elements.

KEN BOGGS
Via the Internet

Cheaters never prosper

To the editors:

John N. Hickman ("Cybercheats," March 23) is to be congratulated for blowing the whistle on the Internet scumbags who entice students to plagiarize and on administrators with their heads so deep in the sand that they deny such practices go on. They do, and, in one form or



another, they always have. But the situation is even worse than Hickman reports. What, then, to do? Assigning more imaginative—or at least more precisely defined—topics would be a good start; cutting down class sizes would also help (good luck with that one at most institutions of higher learning!); but perhaps nothing beats the simple elegance of making it widely known that students must be able to explain and defend every paper they turn in.

SANFORD PINSKER
Lancaster, Pennsylvania

School's out

To the editors:

Your March 23rd editorial, "School Spirit," makes two odd presumptions. The first is that there is no lag time between American educational performance and broad economic measures. The schools of today are not those that produced our country's CEOs or, for that matter, the engineers and scientists who propelled us into the space age. More fundamentally, it is disheartening to read your implication that the raison d'être of our academic institutions is economic output! That cold and gray notion is befitting of a Soviet-era bureaucratic pronouncement, not a liberal-minded magazine.

CHARLES A. MILLER
Iowa City, Iowa

Iraq illusions

To the editors:

The argument presented in Max Singer's and David Wurmser's "Iraqracy" (March 23) is problematic.

Iraq may be a country of diverse communities, which in the past practiced balance of power and autonomy (introduced by the Turks and Mongols?), yet the U.S. is unlikely to directly support a vanguard intent on bringing democracy to Baghdad anytime soon.

Any U.S. hope for a military coup has been abandoned. Six years of CIA efforts have not proven successful. For now, containment and an Iraq free of nuclear, biological, and chemical military capabilities is the policy. Accordingly, the author's plan of a limited umbrella national government in Iran, directed democratically, remains illusory.

ELLIOTT A. COHEN
New York, New York

Hoop hype

To the editors:

David Plotz's "Hype Dreams" (March 23) completely misses the point about Princeton basketball. Racism? Radicalism? Morality? Please. The average NCAA player can't make it at Princeton, not because his shot at the NBA would be ruined, but because Princeton requires of its students—athletes included—the ability to read and write. People like the team because it's an underdog, because it consists of true *student*-athletes playing *college* basketball, and because none of its players feels the need to stand and stare at the crowd or point and yell obscenities at the opposition after completing a Princeton dunk equivalent (the backdoor lay-up).

The NBA features five teams that have won fewer than 25 percent of their games this year and a player who will make millions despite choking his coach. These are the pros? Forgive me if I wax romantic at having found a team, a league, and a style of play to which I can better relate.

BRIAN T. SAAM
St. Louis, Missouri

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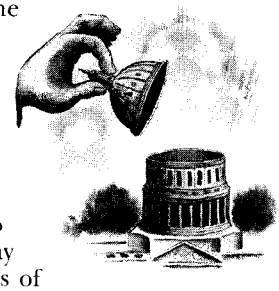
FROM WASHINGTON

Boxed in

We'll all be pleasantly surprised if Prime Minister Ryutaro Hashimoto figures out a quick way to save Japan from economic collapse. For years it's been obvious that Japan needs to abandon its strategy of export-led growth in favor of an economy that is both more open to foreign competition and less heavily taxed and regulated. Japan must learn to grow by letting the Japanese people take more time off, buy bigger houses, and spend more of their enormous savings on consumer goods. The old strategy of exacting ever-greater production from a phenomenally disciplined citizenry has reached the point of diminishing returns.

Hashimoto promises, "We will boldly do what we have to do." But no one really believes him. Japan has never taken more than token steps in the right direction because Japan's political system is, if anything, more dysfunctional than its economic system. Indeed, Japan's economy may be dysfunctional *because* its polity is. Japan's economic decline relative to the United States demonstrates not only the surprising advantages of American-style capitalism vis-à-vis the East Asian model but also the advantages of American-style democracy over the Japanese variety and other similar systems around the world.



I won't repeat the economic reasons why all those dire forecasts of inevitable Japanese global dominance turned out to be wrong. Suffice it to say that the brilliant operatives of Japan's powerful planning agency, the Ministry of International Trade and Industry, had not discovered an economic perpetual motion machine after all. Rather, the giddily unplanned United States, willing to endure corporate downsizing and other short-term costs of meeting foreign competition, has come out ahead. Our labor markets, once considered chaotic, are now celebrated for their flexibility. Our capital markets, once denounced as citadels of greed, are now hailed for their transparency. Our culture, once derided as compassionless, is now recognized as a vital crucible of individual creativity.

The Japan-as-juggernaut orthodoxy also contained an implicit critique of American politics. Japanese policymaking, centralized in the hands of a powerful professional civil service and a national government backed by a parliamentary majority, was supposed to be more enlightened and decisive than the American brand. While Japan's modern government emphasized cool consensus, the United States' rickety federal model produced endless debate. As a result, brilliantly educated Japanese took bullet trains, or strolled down crime-free streets, to their high-salary permanent positions, while semi-literate Americans endured Amtrak, muggings, and insecure McJobs.

Or so the clichés went. We now know, of course, that Japan's façade of efficient agreement concealed a vast structure of corruption. Even some of the professional bureaucrats who run the Bank of Japan have been accused of taking payoff. In a broader sense, the seemingly magical consensus that holds Japanese society together turns out to be nothing more than an interlocking system of interest-group payoffs—subsidies for rice farmers, permanent employment for corporate salary-men. Placed under pressure by market forces, this cozy system has proven alarmingly brittle.

Yet Ryutaro Hashimoto and the rest of Japan's politicians, themselves the products of parties that reward groupthink and careerism, are at a loss to devise an alternative. The best they have come up with so far was a minuscule $15 billion tax cut and a belated deregulation package. But the basic problem remains: Japan's political system does not confer power upon new leaders who "think outside the box." As Shigenori Okazaki of SBC Warburg Dillon Read in Tokyo told *The New York Times*, Japan's political class "lack[s] a fundamental understanding of a market economy." And where are Japanese voters going to find a leader who does understand reality?

While Japan has dithered, the U.S. has been finding solutions to many of this country's longstanding social and economic ills. America has slashed vio-

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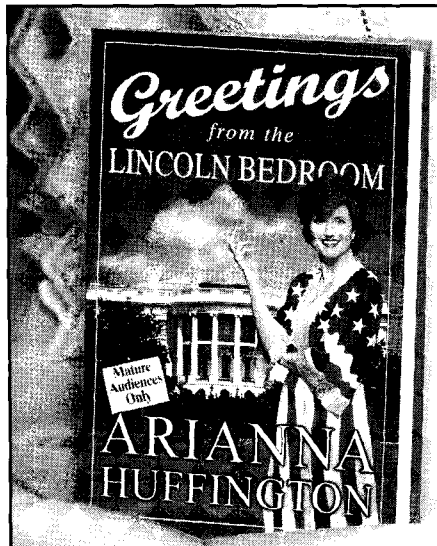

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THE NEW REPUBLIC

APRIL 27, 1998

A CURRENT AFFAIR

The Clinton administration's new plan to deregulate the electric power industry was barely acknowledged by the media. Democrats on the Hill also had little to say about the eye-glazingly detailed proposal—with the exception of one congressman who congratulated the president on finding a cure for insomnia. He has a point: Although it's a heavily lobbied issue, the question of how to introduce America's state-regulated utility monopolies to competition is hardly as captivating as, say, the Linda Tripp tapes. After all, the only thing this tedious piece of legislation would do is slash American families' electric bills by an average of $100 a year while shaking up an industry whose stocks and bonds are held by millions of small investors. Now do we have your attention?

Generally speaking, government regulation comes in two flavors. There are rules that protect health, safety, or the environment. And there are rules that attempt to control the economic workings of various industries (like the federal milk price-support program). Generally speaking, health and environmental regulation is a necessary—if not always optimally efficient—public policy response to what economists call "market failure." Economic regulations, by contrast, tend to channel resources to uncompetitive firms or industries, creating new inefficiencies. That's why deregulation of airlines, trucking, and telecommunications was a boon to consumers—and why ending milk supports would be, too.

The current regulation of electric power, however, is a special case, in that it belongs, at least partly, in both of these categories—it's economic regulation that has strong environmental effects. You can only go so far in introducing competition to the utility business because, unlike, say, airlines, utilities produce an identical product. They can't compete on quality, only price. To lower prices, utilities must lower production costs. And the easiest way to cut costs is to use cheaper fuel. Alas, the cheapest fuel, coal, is also the dirtiest one.

Thus, it will be tricky both to calculate, and to cope with, the inevitable transitional costs of moving to a free market in electric power. The Clinton bill, unlike Republican plans currently pending in Congress, offers solutions to two of the main potential problems with deregulation. The first is the environmental impact of increased coal consumption. Deregulation could boost coal consumption by a stunning 300 million tons per year, which would lead to a dramatic increase in carbon emissions, a leading cause of global warming. Clinton's plan requires that 5.5 percent of all electricity sold by 2010 come from renewable energy sources, such as the wind and sun—three times as much "green" energy as America uses now. Prodded by this target, the power industry will invest in new methods of generating electricity cleanly and profitably. The result: a *reduction* of pollution by 25 to 40 million metric tons in 2010.

A second transitional cost is the potential negative impact on rural communities. If utilities must compete by cutting costs, they may be forced to abandon service to sparsely populated areas. Until now, state regulators have generally allowed them to spread the additional costs of running power lines along lonely country roads among all consumers, rural and urban. Essentially, city dwellers pay a few extra pennies a month so the countryside can have light.

House Republicans dismiss the claim that deregulation would leave rural communities in the dark, comparing it to the stern (and, ultimately, exaggerated) warnings that most small airports would shut down after the airlines were deregulated. However, for a rural community, losing power—or being forced to pay astronomical prices—is a more fundamental blow than losing an airport. Therefore, it's prudent to provide a mechanism to preserve the urban-rural cross-subsidy, as the Clinton administration plan does, through a tax on electricity consumption that would raise about $3 billion a year for the next 15 years.

There's just one problem with the Clinton bill. In exchange for going along with deregulation, the utilities want to be reimbursed for "stranded costs"—the money they sank into nuclear energy and some renewable programs at the behest, or with the approval, of state regulators during the '70s and '80s. Some power companies claim that they'll lose billions if they're not reimbursed, and the Clinton proposal tries to buy them off by encouraging states to pick up the tab. A bill proposed by Republican Congressman Tom DeLay, meanwhile, goes too far in the opposite direction. DeLay's proposal would require utilities—and by extension the owners of utility stocks—to foot the entire bill for stranded costs. A compromise is probably both inevitable and desirable. The benefits of deregulation will be widely shared, so it seems fairest that its costs should be, too. •

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NOTEBOOK

THE EASY WAY: With the publication of *Lessons Learned the Hard Way*, a touchy-feely account of his three years as speaker of the House, Newt Gingrich is being hailed for his contrition and his candor. "Maybe there's been another active political leader to come forward in the modern era and admit serious mistakes as boldly and candidly as Gingrich has," Fred Barnes gushes in this week's *Weekly Standard*. "If so, I missed it." But, while Gingrich acknowledges and apologizes for a host of sins—legislative missteps, verbal blunders, and weight gain all figure prominently—he's neither bold nor candid when it comes to recounting the biggest blotch on his speakership: his ethics problems. In his chapter called "Do the Right Thing," Gingrich maintains that his ethics difficulties, which cost him $300,000 and a reprimand from his colleagues, all stemmed from one innocently mistaken swoop of his pen: "On December 8, 1994, I signed a letter written by my lawyer without reading it carefully enough." The letter was to the House Ethics Committee, which wanted to know whether GOPAC, a political action committee Gingrich chaired, had been involved in "Renewing American Civilization," a college course Gingrich taught. Indeed, GOPAC had been involved in "Renewing American Civilization," raising some questions about the tax-exempt status granted to—and the tax-deductible contributions solicited by—the two organizations that sponsored the course. Unfortunately, as Gingrich explains in his book, the letter made "no acknowledgment ... of [GOPAC's] connection." Gingrich claims he simply overlooked this lack of an "acknowledgment" when he reviewed the letter, which he repeatedly notes was written by his lawyer. But the letter didn't merely fail to acknowledge GOPAC's connection. It explicitly denied it—in bold, underlined type: "GOPAC DID NOT CREATE, FUND OR ADMINISTER 'RENEWING AMERICAN CIVILIZATION.'" Anyway, before the ethics investigation, Gingrich had publicly denied GOPAC's involvement on several occasions. As for the tax questions GOPAC's involvement raised, Gingrich boasts, "The Committee did not find that I violated tax law." But the committee didn't find that he complied with it either. In fact, after the tax expert hired by the committee concluded that Gingrich was in violation, the committee decided to withhold judgment on the tax issues, feeling that they would be more appropriately dealt with by the IRS. Instead, the committee reprimanded Gingrich for, in addition to supplying inaccurate information, not consulting with a tax attorney in the first place—a consultation that surely would have dissuaded Gingrich from using the tax-exempt organizations. What's the hard lesson Gingrich has taken from all this? "I have learned that you can never fully delegate a matter of such legal and ethical importance," he confides. So we suppose we should assume his book wasn't ghostwritten, right?

UPPER CUTS: Last week, Citizens for Tax Justice released a study delineating how last year's capital gains tax cut broke down across the income spectrum. The study found that the wealthiest one percent of taxpayers enjoyed $1,189 in tax benefits for every dollar the bottom 80 percent got. This was not surprising. The interesting thing was the response by the Republicans who designed those tax cuts. What mattered, they argued, was not the size of the tax break but how much the well-off paid in total taxes. And, as the GOP helpfully pointed out, the wealthy are making higher tax payments these days: earnings from stocks have increased so much that capital gains tax revenues continue to rise despite the lower capital gains tax rates. Presented with these two arguments, *The New York Times* took an even-handed stance. "So both sides may be correct," the paper reported. "The wealthy get bigger tax benefits because their capital gains rates were cut, and if they sell more assets to increase their incomes they will pay more in taxes." But, while both sides are technically correct, they are not equally relevant. The whole point of the GOP response is to distort the fact that the capital gains cut disproportionately benefited upper-income taxpayers. It's not hard to see why some Republicans would argue this way, of course. The Republican argument holds that if you earn more money—and thus owe more in taxes—then you've been socked with a tax increase, even if you are paying a lower proportion of your income to the government. By this logic, as the rich get richer and their tax bills increase, they deserve—you guessed it—more tax cuts. At least this offers consolation to those who see their incomes fall: it turns out they've really been benefiting from tax cuts all along.

DON'T ASK: In a draft report leaked to the press last week, the Pentagon admitted that the number of homosexual discharges had increased since "don't ask, don't tell" took effect, then concluded—remarkably—that the policy was essentially working. How can that be? Defense Secretary William Cohen later explained that servicemembers were taking voluntary discharges. But, if more servicemembers are choosing to leave, it can't be because the new policy has met its goal: establishing a comfortable détente between the military and its homosexual members. It must mean they sense some hostility. More likely, Cohen's transparent confusion points to a larger problem: a schism between civilians and military brass on this duplicitous and ultimately unworkable policy.

CONGRATULATIONS: We are delighted to announce the publication of two books by longtime TNR contributors: Alan Wolfe's *One Nation, After All: What Middle-Class Americans Really Think About: God, Country, Family, Racism, Welfare, Immigration, Homosexuality, Work, the Right, the Left, and Each Other* (Viking); and a new edition of Baudelaire's *Les Fleurs du mal* (University of Chicago Press), featuring engravings by David Schorr. •

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Where We Stand

A commentary on public education and other critical issues

Protection? C'mon!

By SANDRA FELDMAN, President
American Federation of Teachers

Fairness is one of our most prized values. So the current national campaign that claims to advocate for "worker paycheck fairness" or "paycheck protection" is getting a lot of attention. But the campaign has nothing to do with ensuring fairness to workers or protecting their paychecks (another potent idea)—and everything to do with denying working people a political voice.

The campaign is well financed by right-wing groups and individuals—the same people who defeated campaign-finance reform—and it aims to pass legislation or referendums in 28 states. Right now, attention is focused on the California ballot initiative, Proposition 226, which is coming up in June and which requires unions to get written permission each year from each member before using any dues money on "political activities." This places a huge bureaucratic burden on unions that would not apply to any other kind of organization involved in the political process.

Contrary to what its advocates say, the legislation would not provide workers with a new protection—because they already have it. Right now, unions are obliged by law to give their members the option of not contributing, through their dues, to legislative or political activities. But despite the clever packaging, safeguarding workers' paychecks is not what the folks who are running this campaign have in mind. They have never been interested in making sure workers get a fair deal, and they aren't now. The goal is quite simple: to make it extremely difficult for unions to participate in policy making in any meaningful way.

A Snarl of Red Tape

Take California's Proposition 226, which will come up for a vote on June 2. On the face of it, the California initiative is a little different from the others because it is disguised as a campaign finance reform initiative, but the guts of the proposal are the same. If Prop 226 passes, all union members will have to file a government-mandated form with their employer every year saying whether any of their union dues can be used for political or legislative purposes. Obviously, this would create a yearly snarl of red tape and a big unfunded mandate, the costs of which would burden employers and taxpayers as well as unions.

But we're not just talking about an expensive pain in the neck. Supporters of Prop 226—and its lookalikes all over the country—would make it prohibitively expensive for union members to participate in the political process but would do nothing to put the brakes on contributions from corporations or rich individuals—people like J. Patrick Rooney, CEO of an Indianapolis insurance company, who has given over half a million dollars to candidates he likes and has already contributed $49,000 to the California initiative. Working people who can give only a few dollars a year can't make that kind of impact unless their contributions are pooled together.

These campaigns aim to deny working people a voice in politics.

My union, the American Federation of Teachers, spends only a few dollars ($4.17) a year of a member's dues on political and legislative activities. But we've been able to make some important contributions to the public debate on education issues like higher academic standards, smaller class size, and zero tolerance for school violence.

Whatever Happened to Democracy?

This new government requirement would burden us with the costs of collecting pledge cards and maintaining records for hundreds of thousands of members every year. Instead of protecting people who do not want to contribute to their unions' political activities, these so-called fairness campaigns would disenfranchise those who do.

Of course unions seek to influence elections, legislation, and public policy on behalf of their members. But corporations, business groups, and other membership organizations, like the National Rifle Association or Handgun Control, Inc., do exactly the same thing—they all spend stockholders' or members' money on political activities. Indeed business interests spend a lot more money than unions. According to the nonpartisan Center for Responsive Politics, the difference in the last election cycle was an enormous 11 to 1. But only unions would be required to jump through the financial hoops set up by Prop 226 and other similar legislation. Is this the kind of level playing field we expect in a democracy?

The groups and individuals who are funding and leading this campaign would like to shut unions up because, on most issues, we fundamentally disagree. But democracy works by giving opposing sides a chance to be heard in a fair and open debate. And what is wrong with the way our political process is currently operating will not be cured by silencing the unions that represent working men and women. ■

Where We Stand **is published once every month in *The New Republic*. To comment, write to Sandra Feldman, AFT, 555 New Jersey Ave. N.W., Washington, DC 20001.** **© Sandra Feldman 1998.** **Visit our web site (http://www.aft.org).**

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THE HARD QUESTIONS

LONE RANGER

By Michael Walzer

The favorite argument of Americans who opposed an attack on Iraq last February was the argument against unilateralism: We had no business, they said, deciding by ourselves to use force against another country. Since similar occasions are likely to arise again, even an exactly similar occasion, it is worth worrying about the rights and wrongs of unilateralism. Must the decision to use force always be made multilaterally? Democratically by a vote of the U.N. Security Council? Or the General Assembly?

The issue here isn't domestic democracy; we could hold a national referendum on attacking Iraq, and the result would still be a unilateral decision vis-à-vis the rest of the world. But it is the domestic analogy, I think, that shapes the argument against unilateralism. For clearly, as a private citizen, I can't use force on my own—except in self-defense or when I rush to the aid of someone assaulted in the street. Although most of us have never actually rushed to someone's aid, it would be the right thing to do, and no one seriously believes that bystanders should be asked to vote on whether I should do it. But a private preventive attack on a neighbor who—so I imagine—is planning a future criminal act is not permitted. In such a case, I am supposed to call the police; they answer, as I don't, to democratically elected officials, and they are trained to act according to the law of the land.

Similarly, if I believe that only the death penalty will stop drug trafficking, and if I lose out in the democratic debate, I can't start killing suspected drug traffickers on my own. I can't bomb Republican Party headquarters, thinking that's where the war against welfare is being planned. I can't organize a private army to launch preventive strikes against right-wing militias. And, if individuals can't use force unilaterally, neither can organizations—not General Motors, the United Auto Workers, the American Medical Association, the Ford Foundation, Operation Rescue, or any others.

So why isn't the case the same in international society? Why shouldn't individual states be required to hold their fire and wait for a decision by the society of states? The answer to these questions ought to be obvious. With regard to domestic society, the democratic state possesses a monopoly on the legitimate use of force and a near-monopoly on the actual use of force. It holds the ring, so to speak, so that political conflicts can be fought to their conclusion with the guarantee that losing won't mean massacre or imprisonment. Indeed, the losing parties have a better guarantee: They will be able to rejoin the conflict whenever they are ready to do so. Nothing absolutely awful will happen in the interim.

In international society, there is no similar, even remotely similar, monopoly. And so no member state can be sure, if it loses out in the "democratic" decision process, that nothing absolutely awful will happen to it or to its friends and allies. Absolutely awful things happen all the time in international society, and anyone who can stop them or prevent them surely has a right, perhaps a duty, to do so. I said that this ought to be obvious, but, plainly, it is often denied. I can't give an entirely sympathetic account of the denial. It stems in part from a wish that international society be more like domestic society, and then from the wishful belief that it is actually becoming more like domestic society—and won't unilateral action interfere with this happy process? It also stems in part from a refusal to acknowledge the absolute awfulness of what sometimes happens in the world on the plausible assumption that, if I don't see it, I can't have an obligation to stop it.

It is sometimes easier to see the awfulness after it has been stopped. Thus, the Vietnamese intervention to end the massacres in Pol Pot's Cambodia is now generally thought to have been justified—whether or not we approve of Vietnam's subsequent policies in Cambodia, and the same goes for the Tanzanian intervention that overthrew the government of Idi Amin in Uganda. Yet neither of these would have been authorized by the Security Council or the General Assembly (or, for that matter, by any existing organization of Asian or African states).

But these were "humanitarian interventions," designed to stop killing in progress. What we were considering a few months ago was a preventive war, designed to stop possible future killing. In international law and morality, preventive wars have generally been ruled out. The (very strong) argument against them is that the possible awfulness we are trying to prevent is speculative. Meanwhile, the killing involved in our preventive wars is real, actual people are dead, and the people we save are merely statistical probabilities.

This argument was first worked out when the aim of the standard preventive war was to avoid a shift in the balance of power. The leaders of state A, let's say, believed that their security depended on the existing balance, which was threatened by the rearmament program, or the technological advances, or the new alliances of neighboring states. So, they reasoned, they had to attack now, while they still could, or they would be unable to defend themselves later on and would be overwhelmed by their neighbor. But this really was a speculative danger, which might be avoided in many other ways—by A's own rearmament, for example, or by a search for new allies.

The argument looks different when the danger is posed by weapons of mass destruction, which are devel-

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oped in secret, and which might be used suddenly, without warning, with catastrophic results. One might well hope for an international regime banning or regulating such weapons; and certainly it makes sense to work for a regime of that sort. But unilateral action is still a legitimate recourse while that work is going on, before it has produced a reliable result. When a state like Iraq is known to possess weapons of mass destruction, and is known to have used them in the past, the refusal of a U.N. majority to act forcefully isn't a good reason for ruling out the use of force by any member state that can use it effectively. For the U.N. majority isn't holding the ring. It can't guarantee that nothing absolutely awful will happen.

This isn't an argument in support of unilateralism generally. The long history of imperial wars by one or another of the great powers ought to make us suspicious of unilateralist claims. But suspicion is not the same thing as opposition. Some unilateral uses of force can be justified; some might even be morally necessary. We have to worry about each case, about prudence, effectiveness, and proportionality—really worry, which means that automatic opposition is flatly wrong. If we are not ready, sometimes, to act unilaterally, we are not ready for real life in international society. •

Sloppy conservative accounting.

TAXING THE TRUTH

By Robert Greenstein, Iris Lav, and Isaac Shapiro

It's almost April 15, time once again for the Washington-based Tax Foundation's annual media blitz about the average American's tax burden. Judging from the group's previous work, it will probably announce that the average family is paying more than 35 percent of its income in taxes. Or, to invoke the group's favorite analogy, from New Year's until just after May Day, you're working for Uncle Sam.

These claims may sound familiar. Senate Majority Leader Trent Lott cited similar numbers in his response to this year's State of the Union address. Since then, many conservatives have used them as grist for campaigns to replace the progressive income tax with a flat tax or national sales tax. While neither proposal has enough support yet to become law, figures like those the Tax Foundation circulates could increase their popularity.

But, as is often the case with politically tinged statistics, these figures are highly misleading. Start with how the organization calculates the "average taxpayer's" tax burden. The foundation takes what it says is the total amount Americans pay in federal, state, and local taxes and divides that by what the foundation estimates to be the nation's total income. This produces an "average tax rate," which would be an important and telling statistic if we all paid the same percentage of income in taxes. But, of course, we don't. In our progressive tax structure, the wealthy pay a considerably greater share of their income than the middle class or the poor do.

As a result, figuring an average tax rate in this manner exaggerates the typical taxpayer's bill. Consider, for example, five families: Four of them have incomes of $25,000 and pay $1,250 in federal income tax (five percent of their income), while the final one makes $500,000 and pays $125,000 (or 25 percent of its income). The Tax Foundation's method would portray the "average family" in this group as paying a hefty chunk of its income—22 percent—in federal income taxes. The foundation would divide the $130,000 in total income tax payments these families make by their $600,000 in total income. But the "average" here is hardly typical: Four of the five families pay just five percent of their income in federal individual income tax, not 22 percent.

The Tax Foundation's averaging approach also assumes middle-income families pay the same percentage of income in estate taxes as wealthy families do—even though estate taxes are paid on only the largest one to two percent of estates. (Smaller estates are exempt.) Similarly, the foundation assumes that middle-class families pay the same percentage of income in corporate profits taxes and capital gains taxes as wealthy investors do, even though the wealthy make the bulk of these payments.

The Tax Foundation's mistakes don't stop there. It also counts as taxes some items that clearly are not taxes, such as optional Medicare premiums that elderly and disabled Americans pay if they want Medicare coverage for physician services. And, while the foundation counts capital gains taxes as part of the nation's collective tax burden, it doesn't consider the capital gains income—on which these taxes are levied—as part of the nation's collective income. This makes taxes look larger as a percentage of income than they actually are.

A sounder way to measure the typical tax burden—the approach most nonpartisan analysts would use—is to estimate how much families in the middle of the income spectrum pay, while being rigorous about income and taxes. According to both the Congressional Joint Committee on Taxation and the Congressional Budget Office, respected institutions that use sound methods (and both of which, incidentally, are headed by Republican appointees), in 1998, the median American family will owe between 16 percent and 20 percent of its income in federal taxes—*before* last year's tax cuts are taken into account. By contrast, the Tax Foundation says middle-class families pay much more—23 percent to 26 percent—in federal taxes. (It uses different figures and somewhat different methodologies in different reports.)

The CBO and Congressional Joint Committee data also show that the federal income tax doesn't absorb that much of the typical family's income. Even before last summer's tax cuts, about three of every four families paid less than ten percent of their incomes in federal individual income tax. Indeed, CBO estimates that fami-

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lies in the middle of the income scale would have paid about 6.3 percent of their incomes in federal individual income tax this year if no tax cuts had been enacted in 1997; with the cuts, this figure will be lower. Similarly, Treasury Department figures show that the percentage of income a typical family of four with one working parent and two children pays in federal individual income tax is lower now than in any year since 1959, except one.

Of course, families also pay Social Security and Medicare payroll taxes (for most families, *these* constitute the largest tax), some federal excise taxes, and state and local taxes. That brings the typical family's total tax burden to between 26 percent and 30 percent of income (again, not factoring in last year's tax cuts). This figure has held more or less steady for the last two decades. (Federal payroll taxes have risen for middle-class families, while federal excise taxes have declined. The federal income tax has edged down, while the proportion of income paid in state and local taxes has changed little.)

It's true, as you may have read in the papers, that total federal receipts have reached historically high levels, measured as a share of the economy. But this is not because middle-class families are paying more of their income in taxes. As CBO director June O'Neill recently testified, federal tax receipts have risen "mainly because realizations of capital gains were unusually high and because a larger share of income was earned by people at the top of the income ladder, who are taxed at higher rates." Wall Street's bull market has enriched the affluent, raising their capital gains income to unprecedented levels and their capital gains taxes along with it. Salaries and bonuses have risen fastest among those in the top income brackets, further enriching tax bounties.

This story line is not what conservative champions of the Tax Foundation's figures have in mind. Polls indicate the majority of Americans think the rich don't pay their fair share of taxes because of loopholes and shelters. By exaggerating the size of today's tax burden, conservatives hope to fuel this frustration—and convince people that a flat tax or national sales tax might be fairer. But precisely the opposite is true. While some tax breaks disproportionately benefit high-income households, the affluent really do pay a higher percentage of income in the current system. As a result, a flat tax or sales tax would produce windfalls for the well-to-do—and a shortfall in revenue that would require higher taxes on the middle class and poor or cuts in programs upon which these groups rely.

Does this mean our current tax system is fine? Far from it. The tax code is too complicated, especially after last year's tax legislation, which added countless intricacies. We need reform; paring back special-interest tax breaks could clean up the code and allow somewhat lower rates. The 1986 Tax Reform Act, a bipartisan measure, showed such reform is feasible. But misleading claims about typical families being taxed to the teeth do not get us any closer to a simpler or fairer tax system.

ROBERT GREENSTEIN, IRIS LAV, and ISAAC SHAPIRO are at the Center on Budget and Policy Priorities.

Bill Clinton, national Dad.

FAMILY MAN

By Peter Rubin

What accounts for the rise in President Clinton's approval ratings since the accusations concerning Monica Lewinsky were first made—and the sense of relief reflected in the polls after the dismissal of Paula Jones's lawsuit? It's not only the economy, as any number of pundits would have you believe. There's little evidence that the American people's traditional moralism takes a break when times are good. Nor is it simply a matter of what *The New York Times* has called "a certain 'rally round the flag' effect: a common spike in support for the president during a crisis—even if he is the cause of it." Ethics allegations normally lead to a *drop* in a president's approval. Rather, public reaction to the scandal at least in part reflects the fact that Clinton is widely viewed in a way that Americans rarely view their political leaders: as a member of the family. The bounce in support for Clinton most closely resembles what one would expect from a family defending an embattled member.

The family paradigm has played an important role in the politics of this presidency. In a memo to Clinton advisor Dick Morris early in the 1996 campaign, feminist author Naomi Wolf urged Morris to portray Clinton as the "Good Father" protecting the family home from Republicans intent on destroying it. Morris kindled to the idea. As he later recounted in his memoir of the 1996 campaign, *Behind the Oval Office*: "Arkansans saw [Clinton] as their son.... In the '92 campaign, Clinton was America's buddy.... 'But now,' I told the president, 'it's time to be almost the nation's father, to speak as the father of the country, not as a peer and certainly not as its child.' " (In response to the current scandal, Clinton has, intentionally or not, followed another piece of advice Morris recalls giving during the campaign: "You explain yourself too much. Fathers don't.") This approach worked precisely because the notion of Clinton as first father was not mere image manipulation—despite the involvement of spin doctor Morris in its formulation. The concept was not perfectly apt because of Clinton's youthful age and demeanor. But the idea of Clinton as metaphorical family member resonates because of who he actually is: a genuinely empathic person who is most passionate about policies he believes will help America's families.

The public has gotten to know many sides of President Clinton, and, like family members, they don't now rush to condemn him. On the one hand, he seems

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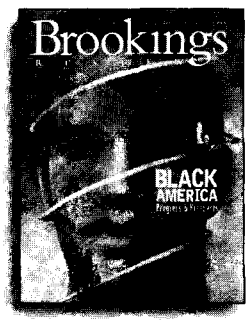

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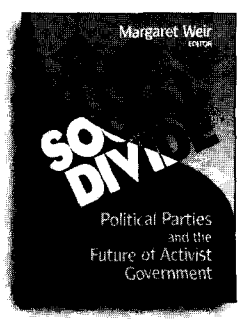
THE SOCIAL DIVIDE

Political Parties and the Future of Activist Government

Margaret Weir, Editor



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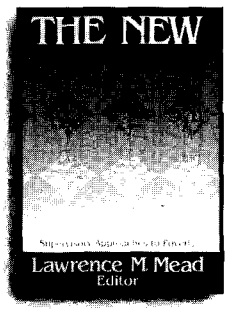
Supervisory Approaches to Poverty

Lawrence M. Mead, Editor



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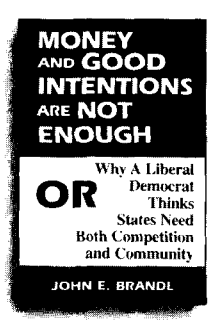
MONEY AND GOOD INTENTIONS ARE NOT ENOUGH

Or, Why a Liberal Democrat Thinks States Need Both Competition and Community

John E. Brandl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respectful enough of the women he has appointed to senior posts in his administration. One can also tell from his passionate advocacy of such ideas as family leave that he genuinely cares about women's issues. On the other hand, Americans know of his powerful need for approval and that this seems to carry over into a need for the attention of women. The public also suspects that he sometimes tries to evade responsibility for his mistakes, especially in his private life. But for many people even these negatives are just facets, and not the most important ones, of a complex man.

The net result is to make at least the sexual accusations against the president concerning Monica Lewinsky plausible, but also less damning. As to the most serious accusations—including the accusation that he told Lewinsky to lie under oath and urged his friend Vernon Jordan to do the same—Americans find these inconsistent with what we know about the president as a person (he's not that dumb or corrupt in that way), and therefore less plausible. And, because many Americans are sympathetic to Clinton, and feel they know him well, they are more ready than they might otherwise be to question the motives and truthfulness of Kathleen Willey, who appeared at least at first to be the most substantial witness against the president, but who, to the public, is the moral equivalent of a stranger.

A sympathetic understanding of Clinton's personality—like that we have of the members of our families—serves to distinguish him from others against whom allegations of sexual impropriety have been made. The public knew neither Clarence Thomas nor Robert Packwood well enough to construct an explanation with which they could live for the charges against them.

The family paradigm alone does not completely explain public reaction. Strong views about the value of privacy, distrust of the motives of the president's accusers, and unease at the tactics of independent counsel Kenneth Starr all play a role as well. Serious new revelations could affect these factors and thus support for the president. And even the indulgence of family members has its limits. The legal accusations still being pursued by Starr are serious: perjury, witness tampering, obstruction of justice. If the case against Clinton were strong enough—something that is, undoubtedly, hard to envision in the aftermath of the president's victory in the *Jones* case—the American people could conclude that he should go.

Meanwhile, the president continues to push initiatives likely to reinforce our sense of him as a virtual family member: extending family and medical leave, a patients' bill of rights, aid for child care, more money for education. These policies are, of course, fully poll-tested, but they also represent what Clinton has long stood for. Indeed, with the budget balanced and the "national family" financially secure, these initiatives were Clinton's intended focus even before the scandal.

Not since Ronald Reagan's stirring televised eulogy for the astronauts of the space shuttle Challenger has a president shown such a capacity for emotional connection with the American public. At the peak of the Lewinsky story, we saw Bill Clinton walking with local officials through the devastation wrought by deadly tornadoes in Florida. He spoke to the victims in comforting words that they might have hoped to hear from a close family member: "We understand that you'll be going through a period in which you'll feel all different kinds of emotions. You may be in shock. You may feel like crying. You may feel angry. And some of the people that are supposed to help you may or may not do as good a job as they should the first time you ask for it or need it." "What I want to say today," the president continued, "is that, all over this country, your fellow Americans are praying for you and pulling for you. And whatever it is within our power to do to help you return to normal lives, we will do." In a real sense, this is the same message that the American public has been sending Clinton since the scandal began.

PETER RUBIN, who practices constitutional law in Washington, D.C., will be a visiting associate professor of law at Georgetown University beginning in July.

Can good science be bad medicine?

TRIAL AND ERROR

By Deborah Hellman

Earlier this year, the U.S. Centers for Disease Control and Prevention announced a breakthrough in AIDS research: A study conducted in Thailand showed that a new method of AZT treatment could cut the transmission of HIV from pregnant women to their babies by half. While this was certainly good news for the thousands of HIV-infected women in the developing world, it was not such good news for half of the women who participated in the study. As part of the study, these women received placebos—sugar pills—that have no effect on HIV transmission. Of the babies born to these women, 18 now have HIV who need not have been infected. While the new treatment may save many more lives, we should question whether researchers were right to trade those 18 babies for this benefit. In the pages of medical journals and, increasingly, in the popular press, doctors and others have been doing just that.

The design of this study, as well as eight others also funded by the United States, was controversial since its inception. Back in 1994, a study had shown that treating HIV-infected pregnant women and newborns with a

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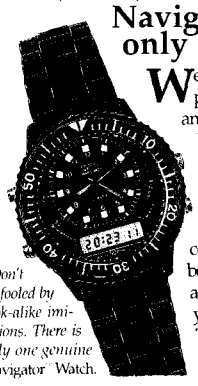

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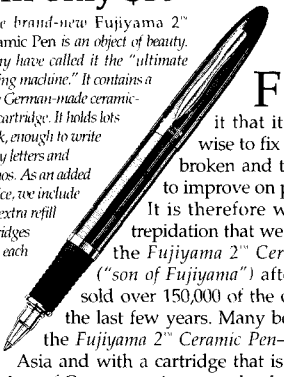

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lengthy regimen of AZT would reduce transmission by two-thirds. Unfortunately, this treatment (known as "076") is impractical for widespread use in the developing world—in part because it costs too much, in part because the necessary equipment for delivering AZT intravenously during delivery is scarce, and in part because women in developing countries don't seek prenatal care as early as necessary for this treatment. The 076 regimen also requires that women refrain from breastfeeding, which, for poor mothers, is often the best means of nourishing their babies. But the success of the 1994 study also indicated that a shorter, simpler regimen of treatment—something practical for developing nations—might work, too. The difficult question was how to evaluate these "short course" treatments, as they came to be known.

The CDC and the National Institutes of Health (NIH) chose to compare the short-course therapies with placebos. This method promised to show clearly and indisputably whether the new treatment was better than nothing and by how much. But it also meant handing out a useless pill for a fatal disease even though researchers already had a drug they believed would work.

Defenders of the short-course placebo studies argue that, because the host countries in Asia and Africa have such limited public health budgets ($3 per person per year in Uganda, for example), officials there needed to be very sure whether and how well the short course worked before diverting resources from other important uses.

This argument—that profound societal need outweighs personal obligations to individuals—echoes familiar debates from Philosophy 101 classes everywhere. Remember the story of the terrorist who tells you that if you will shoot one of the ten people he is holding hostage he will let the others go free—and that, if you won't shoot, he will kill all ten himself? Clinical research on human subjects presents a similar dilemma. Take the CDC-Thai study. By randomly assigning a placebo to half of the women, the researcher is able to get better, more reliable data faster. And, as a result, public health officials can make more sensible decisions about how to allocate limited resources—decisions that may save thousands of lives. But giving half the women in the study placebos ensures that about 19 percent of their babies will be born with HIV. If you care about lives in the aggregate, you go with the placebo—you shoot. If the harm you inflict yourself troubles you, you reject placebos—you don't shoot.

In some clinical research, the choice is admittedly not so stark. Rather than comparing placebo to therapy, research often compares the standard treatment for a particular disease with a promising alternative. But such studies still present the same dilemma. Randomly assigning patients to different treatments will most reliably inform us whether a new therapy is better than the old—information that will help many future patients. But, at the same time, it will deprive some patients in the study of the therapy currently believed to be best. Since clinical research goes on every day here in the United States, and often for serious and life-threatening illnesses like cancer, our policy on clinical trials reflects how we rank the interests of patients who are sick today against the interests of a larger group who will become sick tomorrow.

Faced with the terrorist scenario, students generally try to avoid the tough choice by emphasizing the limits of our knowledge. Maybe the terrorist really won't shoot if we refuse. Maybe help is on the way. Defenders of randomized controlled trials employ the same strategy: If we don't know which cancer treatment is best, the new or the old, the patient doesn't lose regardless of which treatment she gets. Supporters of the AZT trials buttressed their defense with this same rejoinder. While the 076 regimen worked in the U.S. and in France, they argued, short course may not work in developing countries due to real differences between the treatments and the populations.

But, just like the student who pretends not to know that the terrorist is serious, the study's defenders are disingenuous. Or, as Marcia Angell, editor of *The New England Journal of Medicine* and a critic of the trials puts it, "Sometimes scientists like to pretend they're stupid." While we may not have known that short course was better than nothing, we had good reason to believe it was.

In fairness, scientists pretend they are stupid for good reasons. A researcher should be very sure she is right before closing a question and moving on. Similarly, public health officials have to be confident that short course works before spending scarce resources and treating thousands of people. But these imperatives should not dictate the care an individual receives. The study's defenders are importing a standard appropriate for research in the laboratory and applying it to clinical research—where it doesn't belong.

Indeed, recognized domestic and international standards governing research on human subjects dictate that the interest of the patient is paramount. According to the World Health Organization's Declaration of Helsinki, "In research on man, the interest of science and society should never take precedence over considerations related to the well-being of the subject." So how come this rule was ignored? Researchers, steeped in the values of science, simply failed to recognize that the scientist's demand for near certainty reflects a judgment about the value of information, which is appropriate for science but not for treatment.

Instead of asking whether they *knew* that short course would work, the CDC and NIH should have asked: Given available information, would a patient sensibly choose a short course of AZT over nothing at all? Clearly the answer would have been yes. Researchers could have, and should have, given all women short-course AZT and compared their transmission rates to national averages. Because these averages aren't entirely reliable, the information we get this way will be less dependable than with a placebo control. But the personal obligations of researchers to particular human subjects warrant sacrificing certitude that will benefit others.

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One might object that there are surely limits to this fidelity to individuals—a point at which tremendous societal need trumps a doctor's obligation to her patient. Probably so. But such cases will be rare. And the short-course AZT trials were not an example.

One remarkable feature of the recent controversy surrounding the short-course studies is that a debate over standards for research ethics has finally broken out of the parochial medical press, largely because it was *The New England Journal of Medicine* that criticized the NIH and CDC. In the past, many have blamed the stringent publication requirements of medical journals for the rigid adherence to randomized controlled trials. Researchers claim, perhaps rightly, that journals won't publish results unless they are validated by randomized trial. But, with *The New England Journal* now leading the critique, that defense will no longer work. While scientists are trained to be diffident (and rightly so), when scientists conduct their research on sick people, they should also remember that they are doctors with personal obligations to care for the well-being of individuals.

DEBORAH HELLMAN is an assistant professor at the University of Maryland School of Law.

How Jewish accounts disappeared.

SWISS BUNK

By Itamar Levin

Millions of words have been written about the discreet financial assistance Switzerland granted to Nazi Germany—primarily by purchasing gold and turning it into hard currency. Some have gone so far as to describe Switzerland, inaccurately, as Germany's "ally" during World War II. Meanwhile, the real moral and practical issue—the issue that touched off the "Nazi gold" furor—has almost been forgotten: the Swiss bank accounts of Jewish victims of the Holocaust. This is the real issue because it concerns not the expedient compromises struck by the Swiss and others while they faced the menace of Hitler's Germany, but the actions of European societies toward the Jews *after* the war had ended, and *after* the horrible reality of the Holocaust was widely known. How did these societies treat Holocaust survivors and their families when they came to ask for their property?

In the case of Switzerland—a democratic country which, before the war, established bank secrecy to protect Jewish property and then, after the war, sent some Jewish survivors off to provide proof of inheritance from relatives who had perished in the gas chambers—the answer is still incomplete, but disturbing. A 1962 Swiss law requiring the banks to report dormant accounts to the Swiss government resulted in the distribution of a mere $4 million in real value, primarily to the Swiss Jewish community and to the International Red Cross; only small sums were returned to the owners or their heirs. In 1994, the World Jewish Congress revived the issue; since then, a joint information-gathering committee of the Swiss Bankers Association and the World Jewish Restitution Organization has been established under former United States Federal Reserve Chairman Paul Volcker. Meanwhile, settlement negotiations between the bankers and the WJC, as well as three class action suits in New York, plod along. About two weeks ago, the major Jewish organizations and the three largest Swiss banks agreed in principle to negotiate a global financial settlement under which the banks would pay the Jewish organizations a lump sum to be distributed among survivors.

And why is this necessary? Why not allow each heir to demand his rightful property? Because the chances of each heir getting his property back are slim. The Swiss banks seem never to have contemplated that the owners of the Jewish accounts would someday come back to demand what was theirs. Even after the Holocaust, they treated the handling of Jewish accounts as a matter of routine: They long ago destroyed most records of the accounts so that, today, individual claimants have no way to prove ownership. Not only that, but the banks have, in all likelihood, appropriated much of the Jews' money for themselves. And it was all perfectly legal.

Article 962 of the Swiss Code of Obligations requires Swiss banks to keep business records necessary to identify account holders for at least ten years after the closing of an account. And, normally, an account may only be closed by order of the account holder. Hence, basic records may not be destroyed as long as an account still exists. But there is a loophole. Switzerland is a federation made up of 26 cantons, and a few cantons do permit banks to close dormant accounts subject to public notification. Thus, major Swiss banks located in cantons that forbid the closure of dormant accounts may have simply sold the accounts to subsidiaries in cantons where closure of dormant accounts is permitted. The subsidiaries could have closed the accounts and, ten years later, destroyed all the relevant documents.

And how were banks allowed to keep the money for themselves? Unlike most countries, Switzerland does not provide for the government to receive the unclaimed property of those who have died without leaving a will or heirs. Therefore, the banks themselves are permitted to retain such money. Back in 1994, Silvia Matile-Steiner, the Bankers Association's legal secretary, told me, "Even under normal circumstances, it can happen that we don't hear from a customer for several years. The bank tries to make contact with him, and, when the bank believes there is no chance of contacting the client—for instance, if letters to the customer return again and again—the bank must keep the account open another ten years. Sometimes the banks keep the accounts open for 15 to 20 years. Then the bank closes the account and

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keeps the money for another ten years in the bank's own account. Afterward, the money becomes the bank's property." In short: finders keepers.

Ironically, some of the best circumstantial evidence that this practice was widespread and routine, and therefore must have affected many Jewish accounts, comes from the fate of a war criminal who later came to claim his funds. The WJC revealed in 1996 that Radu Lecca, one of the leading persecutors of Jews in Romania during the Holocaust, had tried to withdraw funds from Swiss Volksbank (now part of Credit Suisse) in Zurich. The funds were partly bribes Lecca extorted from Jews for saving them; in 1963, he asked to collect them. The bank's answer was that it is impossible to locate funds deposited before 1944, as "all the relevant business documents were destroyed a long time ago."

A representative of the Bern Cantonal Bank admitted at the end of 1996, in an interview with "60 Minutes," that the bank may not have kept documents concerning accounts opened by Holocaust victims. In April 1997, Swiss journalists revealed that a small bank in Lausanne closed thousands of dormant accounts after World War II. Most of the account holders were Swiss citizens, but there were many foreigners among them as well. According to the Volcker Committee accountants, another Swiss bank absorbed 21,000 Holocaust accounts. Historians Peter Hug and Marc Perrenoud have reported that the Swiss government made agreements after the war with Poland and Hungary under which the property of Holocaust victims was transferred to Warsaw and Budapest as part of complex deals to compensate Swiss citizens whose property was nationalized by the Communist governments of these countries.

As recently as September 1996—that is, after the WJC had begun asking questions—a major Swiss bank informed a Jewish woman from Buenos Aires that the bank could not help her recover the account of her grandfather who was killed in the Holocaust because "the obligation to retain business documents is effective in Switzerland for ten years. Therefore, we do not have the capability to trace bank transactions from before 1986."

A similar answer was given by a bank representative to Estelle Sapir, whose heart-rending story was broadcast on the BBC. Sapir told of parting from her father by touching fingers through the barbed-wire fences of the concentration camp in which they were held and of how her father told her that after the war she should find his money deposited in a Swiss bank. Sapir survived and found documents indicating that her father had an account at Credit Suisse. In the '60s, when she approached the bank, the clerk returned, holding a file with her father's name on it, but she was asked to produce his death certificate. Of course, Sapir could not do so, and she left the bank in tears. In 1996, the bank's representative told her during a public hearing in New York that he was sorry he couldn't help her, as more than ten years had passed and, once again, the document no longer existed. Only recently did the bank agree to compensate her, emphasizing that hers was a unique case.

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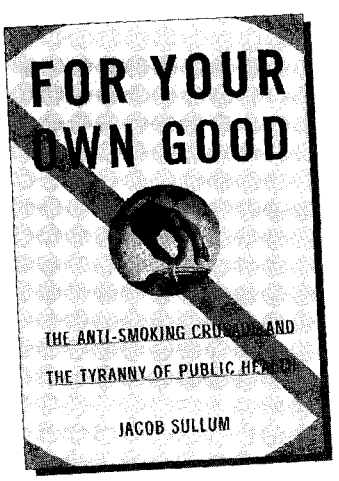

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Has any documentation survived? In August 1997, the Volcker Committee accountants reported that the banks still have a great deal of information which could be relevant to an investigation of the affair and which survived in many cases only by chance. Yet it was also clear to the accountants that a great deal of information really has been destroyed. At best, they reported, there is only partial information, and sometimes none at all, concerning the dates accounts were opened and closed—which is crucial to locating Holocaust victims' accounts. To make matters worse, banks have no clear idea what documentation they *do* have.

And, some banks, at least theoretically, could have drained the accounts by a different method. In 1937, the Swiss Bankers Association decided to stop paying interest on foreigners' checking accounts. Meanwhile, the real value of the deposits was eroded by inflation—and the banks deducted fees for maintaining the accounts even though they were inactive. There were also cases in which the banks sold assets that were in the accounts in order to pay these fees. The many postwar mergers in the Swiss banking establishment provided opportunities to transfer dormant accounts to the banks' own accounts, and it will be nearly impossible to reconstruct a list of clients accurate to the end of World War II. In October 1997, Stuart Eizenstat, the U.S. special envoy for property restitution in Europe, announced in Israel that "the exact number of accounts held by Jews in Swiss banks will never be known."

There is a final irony. According to Swiss law, the banks were entitled to destroy documents of Holocaust victims' accounts beginning only in the mid-'60s—that is, ten years after the accounts became dormant, plus another ten years after they were actually closed. This means that, when survivors and heirs approached the banks in the '50s, the banks should still have had information, but refused to divulge it. Now that the documents really have been destroyed, the only option—both morally and practically—is a global settlement under which the banks provide compensation to Jewish survivors via their designated organizational representatives. This will cost the banks hundreds of millions of dollars—far more than they would have had to pay if they had simply treated survivors and their heirs decently in the first place.

ITAMAR LEVIN is deputy editor of *Globes*, Israel's business newspaper.

The coming of "free agent" politics.

THE 1099 REBELLION

By Daniel H. Pink

It used to be that a conservative was a liberal who had been mugged. But, with crime rates falling and even lefties preaching law and order, that adage no longer applies. These days, a conservative is a liberal who has become a free agent. And in that new political adage lie the seeds of what may be America's next tax revolt.

Across the country, 25 million working people have declared free agency. They have abandoned traditional jobs and instead are moving from project to project, assignment to assignment, untethered to any particular employer, unattached to any large institution, relying on themselves, and living by their wits. They are 14 million self-employed Americans, almost nine million independent contractors, and 2.5 million temps. Some have been pushed. Free agency is often the result of downsizing. Others have leaped. Free agency is often Dilbert's revenge. But, whatever their motivations, their numbers are eye-popping. Beneath the radar of the political and media establishment one out of six working Americans has become a free agent. And, although government statistics on this trend don't really exist, a wealth of circumstantial evidence—a sizeable increase in tax filings for independent contractors, a significant decline in employment among Fortune 500 companies, an explosion of temporary work firms—all suggest that the number of free agents is higher than ever before.

And if there's one thing this diverse collection of people has in common it's that everyone's steamed about taxes. Two hundred twenty-five years after the Boston Tea Party, free agents are not exactly storming the capital to hurl their 1099s into the Potomac River. They have few champions in Congress and only an incipient political organization. But free agents may come into political maturity sooner than anyone suspects. And the politician who finds a way to address the concerns of these new tax protesters may find himself the darling of a constituency

DANIEL H. PINK, formerly chief speechwriter to Vice President Gore, is a contributing editor at *Fast Company*. He is writing a book about the free-agent economy.

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whose allegiance is as yet unclaimed and whose numbers are large enough to sway elections.

The source of free agents' bubbling discontent is not taxes per se but the tax code itself. It was designed during an era when big business was ascendant and free agency an exotic choice. As a result the tax code is replete with biases—some invisible, some glaring—against those who work but don't hold a "job."

To begin with, free agents face double taxation on Social Security. Let's say you work for a typical mid-sized company. Each pay period, your employer takes 7.65 percent of your salary and sends it to the government to help pay for Social Security and Medicare. Then your employer takes the same amount from its own coffers and gives that to Social Security as well. This is the main financing scheme for one of the grand bargains of American life. But free agents don't get the same deal because the boundary between employee and employer doesn't correspond to the realities of their lives. Like everyone else, free agents must kick in the 7.65 percent of their income to Social Security that employees pay. But, since they are also their own employers, they must kick in the additional 7.65 percent employer contribution.

To add injury to insult, some unscrupulous companies will fire employees and then contract them to do the same job—in part to shift that second portion of Social Security taxes from the company to the individual. However, those unscrupulous companies aside, some might argue that since firms that hire free agents don't have to pay Social Security taxes they might be expected to give some portion of that money back to the free agent in the form of higher pay. But there is no evidence to suggest that this is actually happening.

A second bias is health insurance. On this free agents don't just get the short end of the stick—they get poked in the eye with it. Assuming, once again, that you worked for that mid-sized corporation, your health insurance would most likely be paid through a contribution from both yourself and your employer. The portion contributed by your employer is considered a cost of doing business, which means your employer gets to deduct it. But not only must free agents pay all of their health insurance themselves; since they're not employers in the traditional sense (particularly in the sense of having a big lobby to fight for tax breaks), they have also been barred from deducting most of their health insurance costs.

As recently as 1992, health insurance premiums for the self-employed weren't deductible at all. After that, Congress fought an annual battle to renew a 25 percent deduction. But, in 1996, the deduction was at long last made permanent. This year, free agents will be permitted to deduct 45 percent of their health insurance premiums, an amount that will rise slowly over the next decade. While less than half is better than next to nothing, this plan still means that free agents' health insurance premiums won't be fully deductible until 2007.

As more people migrate to free agency, there is of course one group that stands to benefit mightily: accountants. Tax calculations for most jobholders are rather straightforward—the W-2 does most of the heavy lifting. But, for free agents, simply trying to do the right thing can be a nightmare. Many expenses are legitimate deductions; others are not. Discerning the difference often requires the rigor of a Talmudic scholar. Making matters worse, says Beverly Williams of the American Association of Home-Based Businesses, "free agents are on the IRS hit list." You're more likely to get audited if you have self-employment income or if you take a deduction for a home office because these deviations from traditional practice are often presumed to indicate that a taxpayer is trying to shield other income or even scam tax collectors.

As if free agents weren't frustrated enough with the tax code, they are forced to confront it not once, but four times a year, because the law requires that they file estimated taxes every three months. If they live in a state with an income tax, they must also pay state estimated taxes—which are often due on different days from the federal payments. Thus, many free agents are preparing eight separate tax filings a year. And, whereas those in the rest of the workforce have their taxes automatically withheld from their paychecks, free agents must actually write out a check to Uncle Sam each time they pay the government. This last difference doesn't affect a free agent's bottom line the way the other provisions in the tax code do, but it has what is perhaps an even more powerful impact: It changes the entire psychology of taxation. For free agents, taxes aren't just higher, they're more visible.

In short, becoming a free agent means entering a sort of tax hell: *You're hit with double taxation. You're not* permitted to deduct much of your already sky-high health insurance premiums. You're forced to navigate a thick and complex tax code—with each decision potentially triggering an audit. And you're reminded of these happy facts between four and eight times a year. Add these factors together. Multiply by the 25 million free agents out there, and you can almost hear the rumble of a tax rebellion in the making.

For the moment, we're not hearing much at all. However, the wait may not be long. The first politician to offer any semblance of a free-agent spark is Republican Senator Kit Bond, a lifelong pol who began his career as auditor of his home state of Missouri. Bond is conservative both in his politics and his manner. But he has an intriguing history of independence from his party on workplace issues. In the early 1990s, he was one of the few Republican champions of the Family and Medical Leave Act. Last year, with the Clinton Administration's backing, he pushed to expand the tax deduction for home offices. And it was Bond who was the driving force behind the provision that this year will allow free agents to deduct 45 percent of their health insurance premiums. Bond originally sought an immediate 100 percent deduction, financed by an increase in the cigarette tax, but that measure was narrowly defeated.

One reason Bond is such a rarity is that he and his other 99 colleagues have felt neither the hot breath of angry constituents on the back of their necks nor the cool cash of PACs in their reelection tills. Unlike labor union members or large businesses, the 25 million free

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agents still don't have a single powerful political voice. "We're too busy trying to make a buck and pay our taxes to initiate changes on a policy level," explains Caren Ginsberg, a self-employed health care market researcher in Washington. "I want a lobbyist."

Ginsberg's answer may be a New York-based group called Working Today, the first organized political force for free agents. Working Today is the invention of Sara Horowitz, a 35-year-old who spent the bulk of her career as a union organizer and labor lawyer. Two years ago, animated by the labor movement's core aspirations, but fed up with its tactics and structure, Horowitz launched her group. It now has nearly 60,000 members.

Working Today is a curious hybrid. Like a labor union, it advocates for workplace fairness. But it is also something of a consumer's union. Members pay $10 to join, and Horowitz uses their collective buying power to negotiate group discounts on health insurance as well as on a range of other products and services like computer software, Internet service, and travel. Think of Working Today as the political love child of the AFL-CIO and the AARP.

Politicians in general, and Democrats in particular, would do well to take notice of groups like these. America's 25 million (and growing) free agents easily outnumber the 16 million (and shrinking) members of labor unions. Already there are signs the politicians are waking from their slumber. "When I used to go to Washington the Beltway people would say, 'We know who the powerful people are, and you're not one of them,'" says Horowitz. "Now I'm beginning to feel a difference."

While Horowitz's agenda is broader than taxes, she recognizes how the unfairness of the tax code can lure members to her cause. "This is the hip new workforce of the 1990s, but they're working under laws that are closer to the 1890s," she notes. "Taxes aren't everything, but they're a big part of getting these people to think of themselves as a constituency." And the politics of this new constituency, much like the form of their work, doesn't fit old categories. "This isn't liberal," says Horowitz. "This isn't conservative. It's something new." It presents a common ground for people who aren't usually linked politically—the downsized manager turned consultant, the working mom temp, and the new economy road warrior.

So far, the few policy suggestions for restoring tax fairness that have surfaced are more modulated than the blunt anger of earlier tax rebellions like Proposition 13 in California. One proposal is to end double taxation, then offset the lost revenues by rolling back corporate welfare. Such proposals hold some promise: Corporate welfare is one of the few issues that unite buttoned-down libertarians and scruffy Naderites. But ending corporate welfare has until now proved extremely difficult.

Another possibility, less tangible but perhaps more realistic, is for free agents to insert their tax concerns into the discussions about reforming Social Security. President Clinton's pledge to "save Social Security first" has enormous implications for the people who are financing the program with a disproportionate share of their income. This is a ready-made issue for a Social Security wonk like Senator Daniel Patrick Moynihan or for more ambitious risk-taking politicians like senators Bob Kerrey of Nebraska or John McCain of Arizona.

At the very least, the dialogue of our political system needs an expanded vocabulary. Republicans love thumping their chests and claiming to "promote business." And Democrats love wiping away a tear and promising to "protect jobs." But the truth is that many of us are already positioned somewhere between those two poles. We're becoming a nation of free agents—people who are their own employers and employees—and a leader who speaks this new language may find him or herself at the head of the next American tax revolt. •

A supply-sider woos the religious right.

THE CONVERSION OF STEVE FORBES

By Dana Milbank

HOUSTON

The annual gathering of the Harris County Republican Party is no place for moderates. It begins with a 7 a.m. prayer remembering the millions of innocents slaughtered in the womb, followed by a concert of religious hymns sung by a home-school choir. Throughout the day, presidential aspirants—former Vice President Dan Quayle, Missouri Senator John Ashcroft, conservative activist Gary Bauer—cross the stage to rehearse moral themes, while attendees line up in the back to buy bumper stickers saying "Lorena Bobbitt for White House Intern." Texas Governor George W. Bush sent his regrets. Local party leaders speculate, with some pride, that he doesn't wish to be linked to the religious conservatives who dominate Republican politics here.

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But another would-be candidate has no such qualms about associating with the true believers. This fiery moralist takes to the podium late in the day and rouses the crowd to three standing ovations. They shout with joy as he quotes from Moses to the Israelites and praises the Promise Keepers. They hoot and cheer when he condemns the president's morality and calls for spiritual renewal. Finally, his demand to ban the "infanticide" known as partial-birth abortion brings the house down. "This ban will be the first step toward putting abortion on the road to ultimate extinction in the United States of America," he thunders from a stage in the University of Houston's basketball arena. "The law protects not only the strong, the healthy, and the rich but also the weakest among us—the old, the infirm, and the unborn."

And just who is this Texas evangelist, this protector of the unborn and friend of the common man? Why, it's New Jersey's own Malcolm Stevenson Forbes Jr.—the same Malcolm Stevenson Forbes Jr. who once called Christian Coalition founder Pat Robertson a "toothy flake" and who was quoted during the 1996 campaign as saying, after his anti-abortion credentials were challenged, that the Christian Coalition doesn't speak for most Christians. And it's the very same Malcolm Stevenson Forbes Jr. who, during that same campaign, antagonized conservative activists by, they said, supporting gay rights and displaying a Robert Mapplethorpe photo on his 151-foot yacht.

The very public spiritual awakening of Steve Forbes is a peculiar tale. Here is a candidate who talked about nothing but the flat tax in 1996 suddenly positioning himself as the right's new moral voice. Here is a businessman worth a reported $440 million who flew around in a plane called "The Capitalist Tool" recasting himself as a populist hero. And here, remarkably enough, are Christian conservatives embracing him as one of their own. To complete the irony, they say they're drawn to the famously robotic Forbes by his folksy personality.

"He's a real person, like you and me," says Billy Wayne Moore, who wears an anti-abortion infant-footprint logo on his lapel at the Harris County convention. Moore, coordinator of the Christian Coalition's Houston chapter, didn't like Forbes last time. "He's changed his tune quite a bit since '96," says Moore, a heavy-set retiree. "I like what he's saying. He sounds genuine, and he doesn't neglect the social issues." In fact, Moore adds, "there's only one thing about Mr. Forbes that bothers me greatly: It's his flat-tax proposal."

Forbes's Bible Belt appeal is confounding some leaders of the religious right. They would like to unite the movement behind an older friend like Ashcroft, Quayle, or Bauer, but voters of the religious right are clearly willing to forgive Forbes's past disdain for their views. "There's a reason why in the Gospels Christ refers to his followers as sheep," says one religious political leader, marveling at Forbes's success. Yet, even some religious political operatives say they're flattered by Forbes's pandering, which implicitly acknowledges that any Republican candidate needs their members' votes to win the nomination.

In truth, Forbes's success thus far may have less to do with God than with mammon. Forbes and his issues-advocacy group are spending significant sums of money on Christian causes, candidates, and leaders to win their support. He's offering consulting contracts to Ralph Reed and other well-known religious conservatives who opposed him last time. Could it be that the religious right is for sale? "A little sweet-talking and a lot of money can go a long way," says one social conservative who hopes to be a presidential candidate in 2000. "He's just looking at the electoral map and seeing what he has to do." Grouses an adviser to another likely Republican contender: "He's become a sugar daddy for conservative causes, buying tables at all the right events."

But rivals can complain all they want. Forbes's conversion is convincing where it counts: with the movement's foot soldiers. "Regardless of whether you look at it cynically or uncynically, he's doing it with a degree of success I would not have thought possible," says David Keene, a GOP consultant and chairman of the American Conservative Union. Indeed, in a late February straw poll of delegates to the Southern GOP Leadership Conference, Forbes placed second only to Bush, ahead of Quayle, Fred Thompson, Ashcroft, Lamar Alexander, and Newt Gingrich. In a late March Fox News poll, Forbes beat Quayle in a match-up against Al Gore. In a leaked poll of Christian Coalition state chapter leaders, Forbes placed behind only Ashcroft among serious candidates, ahead of Quayle and the other usual suspects.

One can find all sorts of wisdom in Steve Forbes's regular column, "Fact and Comment," in *Forbes* magazine. He recommends the "potato tart fused with spiced ham and lobster" at Bouley Bakery and insists Zarela has "the best flan ever tasted." He tells us he found the novel *The Magician's Wife* "intriguing" and that Walter Mosley's mystery *Gone Fishin'* has "plenty of adventure." Forbes also writes that the World Series "underscores how quintessentially American baseball is."

But one thing not to be found in these columns is evidence of long-standing social conservatism. He first condemns partial-birth abortion in December 1995, with a graphic description of the procedure—followed by a list of "All Star Eateries" in case anyone still has an appetite left. In 1984, he talked of "our unnecessary brouhaha about abortion" at a population conference; in 1979, he seemed to mock a tour guide in China for praising the public humiliation a woman had to suffer before getting an abortion.

Advisers have dug up a 1994 Forbes speech praising moral conservatism. And Forbes praised Rush Limbaugh's book in 1992 for making pro-life arguments "more plausibly" than did national candidates, just as he criticized Clinton in 1993 for wanting to subsidize abortion. But Forbes's commitments are ambiguous, his sentiments scattershot. In 1993, he even wrote that "President Clinton should take a cue from his hero John

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Kennedy and appoint Hillary to the Cabinet or to head up a federal agency."

In 1996, Forbes seemed to do everything possible to distance himself from moral conservatives—and they reciprocated. Forbes was hurt badly in Iowa when the state's Right to Life Committee said he was "not pro-life," and he did little to dispel the belief that he opposed a constitutional amendment banning abortion. The Christian Coalition distributed flyers noting Forbes's support for President Clinton's "don't ask, don't tell" policy on gays in the military. Forbes was asked on "60 Minutes" about his father's alleged homosexuality, and a group opposing gay rights spread the word about the Mapplethorpe on his yacht. (It's a picture of a beach.)

MALCOLM STEVENSON FORBES JR. BY VINT LAWRENCE FOR THE NEW REPUBLIC

Forbes advisers acknowledge that incurring the religious right's wrath hurt the 1996 campaign severely. "It was a mistake," says Greg Mueller, who worked for Pat Buchanan in 1996 and signed on as a Forbes staffer last fall. "If Forbes would've made a more direct appeal on abortion like he's doing now, he may have been on his way to the nomination. He would've been in a stronger position now." This time around, Forbes aides have spread the word that Forbes's conversion is not merely tactical. Donald Devine, a Dole adviser in 1996 who has also joined Forbes since then, says Forbes's social views "were not very well spelled out, and that was a problem" in the last campaign. Since then, "he's taken a deeper look at the abortion issue and has come out on a very sound social conservative position."

When Steve Forbes greets admirers, he stands slightly stooped, eyes open wide and unblinking, his face in a permanent grin, his head vigorously nodding in agreement with everything his interlocutors say. But, when I sat down to talk religion with him before a recent speech, he seemed ill-at-ease. "I've always believed. I do attend church, and, when I don't, I pray," he said, as if answering questions at a deposition. Which prayers does he favor? "There are many prayers for particular occasions," he replied. Any specifics? "You share it with the Lord," he said. So, he thinks up his own prayers? "The Lord recognizes when you're doing it mechanistically and when you're truly seeking his guidance." And so on.

On abortion, the centerpiece of his moral message, Forbes said he has been consistent. "Since I've been in the public square, I've always made the point that life begins at conception and ends at natural death. The position is the same. You find better and more persuasive ways to make your case. Out of the heat of the campaign you have a chance to develop themes more thoroughly." His reflective approach, Forbes said, is like that of Lincoln, who "was always churning in his mind." Forbes leaves the impression that his mind is churning toward a more rigid anti-abortion position, maybe even one that doesn't allow exceptions for rape and incest. "I understand the logic," he says. To the extent there is a change in his abortion position, he said, it wasn't a change in ideology but a change in presentation brought about by public demands. "There's a stirring in the land and the need for a strong moral foundation," he said. The wealthy publisher is, as he sees it, responding like a businessman: "You don't succeed unless you're attentive to your customers."

Clearly, though, Forbes's abortion stance *has* hardened. When he first asked theologian Michael Novak back in 1995 to advise him on an abortion position, he still had a position many would qualify as pro-choice. "He was always opposed to abortion," Novak says. "He wasn't quite sure what the state ought to do." Novak, in turn, proposed a policy based on a Latin proverb: *Leges sine moribus vanae*, which he translates as "Laws without custom are empty." Essentially, this means you can't ban abortion before there's a societal consensus to do so. That's logical enough, but Forbes takes it a step further, torturing the logic by suggesting that one changes societal consensus by, well, changing the law. "In order to change the law, we must change the culture. To change

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the culture we must change the law little by little."

What explains the new Forbes? The easy answer, shared by his opponents and many religious-group leaders, is that he's just being phony. Paul Hetrick, spokesman for James Dobson's nonprofit, Focus on the Family, says "the suspicion is the pro-family social conservatives are used" by candidates. "That game has gotten old to the point of being disgusting." Dobson's group doesn't endorse candidates, but Dobson himself has criticized Forbes for supporting a candidate more sympathetic to abortion rights. "It's extremely problematic," Hetrick says. "If abortion can just fade into the background because of something like taxes, that's a huge clue that these issues are not deeply planted in him."

Jude Wanniski, a supply-side guru and one-time Forbes friend, says that Forbes once believed economics would drive social policy. "If we push the economy in the right direction, the economy would drive all else and in the end we'd get to where pro-life people want to get," he says. "That was essentially his position." Wanniski (who had a falling out with Forbes over the management of the 1996 campaign) says Forbes's more recent pronouncements are "paying his respects to the Christian conservatives to patch things up." If Forbes had his choice, Wanniski believes, "economics is all he'd want to talk about, and the International Monetary Fund, and world economics, and the gold standard."

In my interview with Forbes, I posed the hypothetical case of a President Forbes able to enact only one of two policies, overhauling the tax code or banning abortion. Which would he choose? "Life is basic," he replied. "If you don't have a foundation of life, a moral foundation, all else is ephemeral. Taxes can be raised and taxes can be cut, but, if you value life, you won't be subject to individual whims." *Taxes can be raised and taxes can be cut?* Those are fighting words to economic conservatives. "That shocks me," Wanniski says of Forbes's reply. He's equally surprised that Forbes backed a failed proposal that would have denied Republican Party money to any candidate who didn't favor a partial-birth abortion ban.

But there may, after all, be a genuine element to the new Forbes. It's likely that he never spent much time thinking about abortion before the campaign forced him to do so in late 1995. The 50-year-old Forbes grew up in a world far from the heated evangelists he now courts. Before Princeton, he went to the Brooks School, a Massachusetts prep school affiliated with the Episcopal church. He's still a regular worshipper at St. John on the Mountain, an Episcopal church in Bernardsville, New Jersey. It's the sort of place where thorny issues like abortion are kept quiet. "I don't know where he stands on that now," says the Rev. Al Niese, who recently retired after years in Forbes's church. (The Episcopal denomination is officially in favor of abortion rights.) Tim Forbes remembers discussing abortion with his older brother during Reagan's 1980 campaign; both were opposed, but neither talked publicly about such things. "It's between your family and God," Tim says.

That reserve is typical of someone from Forbes's northeastern, mainline-Protestant upbringing. "In an age when you wanted it all to hang out, Steve Forbes was a persona that wanted to button it all up," says Father Richard John Neuhaus, another spiritual adviser to Forbes. "It was the WASPy business, the reaction against flamboyance. The assumptions of an earlier generation were that, when it comes to core moral convictions, among gentlemen certain things didn't need to be said, and indeed it was poor form to say them. He's had to realize you've got to expose yourself in a way that doesn't come naturally to him."

Painfully, Forbes is learning to be a spiritual exhibitionist. "When you run for president, you have to realize voters want to know who you are, what's inside of you," he says. "It's not a matter of comfort." An article he wrote late last year for *Policy Review* reveals much about Forbes's new role as evangelist. "Some Americans are uneasy with such public demonstrations of religious faith," he writes, and then he quotes Tocqueville's observation on a group of men who bound themselves together to abstain from alcohol. "I did not at once perceive why these temperate citizens could not content themselves with drinking water by their own firesides," Forbes quotes Tocqueville. "I at last understood that these hundred thousand Americans, alarmed by the progress of drunkenness around them, had made up their minds to patronize temperance. They acted just in the same way as a man of high rank who should dress very plainly, in order to inspire the humbler orders with a contempt of luxury." Now, generations later, comes Steve Forbes, another man of high rank with a sense of noblesse oblige, inspiring the humbler orders. In the way Tocqueville's early Americans ostentatiously patronized temperance, Forbes patronizes morality.

Forbes is spreading the gospel at a rapid clip: He's delivered 260 speeches since November 1996, almost always mentioning partial-birth abortion. He's met frequently with the likes of Don Hodel and Randy Tate of the Christian Coalition, Dobson and Bauer, Phyllis Schlafly, and Heritage Foundation leaders. But he's also doing what a Forbes does naturally: spending money. For example, his issue-advocacy group, Americans for Hope, Growth, and Opportunity, which began with $100,000 in Forbes-supplied seed money and now has $4.1 million, bought a table at a fund-raising dinner honoring Ralph Reed held by Regent University's Robertson School of Government. Forbes also spoke at events for candidates who are clients of Reed's political consulting firm in Kentucky, South Carolina, and Pennsylvania. Forbes has offered Reed a contract to consult for Americans for Hope, Growth, and Opportunity, and he's actively recruiting Jerry Keene, state chairman of the Christian Coalition in Georgia, a key electoral state. Reed, clearly in Dole's camp in 1996, has warmed a bit to Forbes.

Similarly, Forbes's group gave the Catholic Alliance, a Christian Coalition offshoot, $10,000 in April 1997 for a partial-birth abortion campaign. "We would welcome

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more, and we're working with him," says Keith Fournier, president of the Catholic Alliance. Perhaps not surprisingly, Fournier has come to like Forbes. He was quoted as praising a Forbes speech at Heritage later last year. "He's striking a chord with the real people, the dock workers, the people who don't shave sometimes and don't look perfect," Fournier says. "It's an amazing phenomenon." Forbes also threw some cash at Heritage, buying two tables for its 25th anniversary dinner after the conservative think tank's journal published his article; his issues group has given between $10,000 and $15,000 to Heritage in all. (Both deny a quid pro quo.) The Heritage folks are impressed. "Here you have the walking embodiment of capitalism saying capitalism is not enough to maintain a free society," says Heritage's Joseph Loconte. "Among religious conservatives, he's going to have a very good showing. It's the right cultural moment for Steve Forbes."

Forbes's group has also helped finance an Oregon ballot initiative to overturn the state's legalized doctor-assisted suicide. It has donated to the Becket Fund, which helps religious claimants in church-state cases. Forbes plans to do fund-raisers for Christian Coalition chapters in the fall, and he has been doing numerous fund-raisers for social conservatives such as representatives Tom Coburn and Steve Largent of Oklahoma. The largesse goes well beyond the elite, though. Americans for Hope, Growth, and Opportunity has spent $600,000 on 48 radio campaigns and two TV campaigns, many of them focusing on moral themes. These messages go directly to prospective voters who are, of course, beyond the direct control of religious political groups' leaders. The organization sends issue faxes, often several a day, to thousands of prominent conservatives. "My fax has burned up for the last year with all his stuff," says Susan Feldtman, a social conservative who is the Republican national committeewoman from Texas. Forbes, though he won't officially decide to run for president until after the midterm elections, has been adding bona fide conservatives such as Mueller and Devine to his staff. Devine says he is the man who, as President Reagan's head of the Office of Personnel Management, ended medical insurance coverage for abortion for ten million government employees.

A number of prominent social conservatives are suspicious. "Anyone can make a speech or have a speech written for him," says Carmen Pate, president of Concerned Women for America, which hosted Forbes at its convention last fall. "We don't really know the man other than what he says. Conservatives have learned a lesson. We're looking for individuals who can prove with their past that they mean what they say." Leaders of another conservative group courted by Forbes found him lacking after they met with him. They tried to test his outrage at China's selling of executed prisoners' organs. "It was just sort of a shrug and talking about them as a developing nation," says one participant. "Either he doesn't care, or he's concerned about other things." But others are reconsidering Forbes. Schlafly, who called Forbes an "artful dodger" on abortion in 1996 and is likely an Ashcroft backer, now says "there are a lot of social conservatives who think it's time to give Steve Forbes a chance. We don't see a Ronald Reagan there, so we've got to do with what we've got."

Anyway, it may not really matter what leaders of the right think. He got seven standing ovations last fall when he addressed the Christian Coalition convention in Atlanta. Ione Dilley, state chairwoman of the Iowa Christian Coalition, finds him "really sincere." Forbes may never become the consensus candidate of religious conservatives, but he'll likely gain enough support to inoculate himself against the charges that hurt him in Iowa in 1996. If he can link that with his traditional coalition of economic and establishment conservatives, as now seems possible, he has a shot at reassembling the Reagan coalition. Add to that the $74 million Ralph Reed has said Forbes plans to spend in his next presidential bid (half of that his own money), and Forbes could pose a serious challenge to Bush, the early front runner.

On the stump, Forbes still has the look of a cutout figure with a moving jaw. His well-memorized speech, which varies only slightly each time he delivers it, comes out in a stream of words that clump together unnaturally, as if a word processor had removed all punctuation from the text and redistributed it at random. Yet, despite the awkward delivery, or perhaps because of it, even suspicious listeners find Forbes sincere. Before hearing Forbes in Houston, Kent Ellis, a local judge, said he thought Forbes's "social conservatism is more a matter of convenience than conviction." But, after the speech, the judge reversed himself. "I liked it; I really did," he said. "He sounded sincere. If he's saying the right thing, I don't think people will really care what he's done in the past." Tina Benkiser, who in 1996 thought of Forbes as a "one issue" candidate, proclaimed him "vastly improved from what I heard two years ago. I didn't hear anything I didn't agree with." Will Forbes be punished for past sins? Not in this crowd. "It's very important when a guy of Forbes's stature starts to talk about the social issues," said Steven Hotze, a religious-conservative activist. "We ought to embrace anybody who supports our cause. I don't care when he came over."

Toward the end of our interview, I asked Forbes if there were any biblical passages he finds inspiring in political life. The question put him on the spot, but he eventually found a suitable response. "There's a quote, not from Scriptures, but Bill Bennett told me it years ago," he said. "Every saint has a past, every sinner has a future." I asked him to elaborate. "It means you can always do better, and you shouldn't cease to try to do better," he said. "Always look to the future, do not be burdened by the past." That idea should serve him well in his next presidential campaign. Steve Forbes has atoned for his sins against the religious right, he has bought himself an indulgence, and he has been forgiven. •

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BOOKS & The Arts

Stanley Kauffmann on Films

Trickery and Tradition

Deception is a key theme in David Mamet. *House of Games,* for instance, moves through a series of seeming truths to revelations that expose those truths as mere tricks. Life, Mamet frequently reminds us, may possibly not be worse than it seems, but certainly is different from what we think it at first.

In the new film that Mamet has written and directed, **The Spanish Prisoner** (Sony Pictures Classics), deception is enlarged. It is not only the theme of the story, it engrosses the very form of the film. It begins as a tense, high-voltage business drama couched in secrecies. An inventor, Joe Ross, who works for a large New York company, has devised a new process (unspecified) that can bring his bosses many millions. Joe goes to a meeting in the Caribbean for a very private discussion with the company's CEO and some others. Through the first 20 minutes or so, the film whips along, taut and gleaming, with the fine Mamet dialogue that ingeniously seasons common conversation with inversion or odd phrases that lift it from the naturalistic into quasi-abstraction. And under Mamet's directorial hand, all the purrs and plosions of Mamet rhythm are teasingly exploited.

As the film proceeds, it changes—not in texture but in intent. The business drama, which promised some tussles about power and money between visible forces, metamorphoses into a crime thriller, a scheme to steal Joe's process, with most of the forces invisible. Joe meets a man on that Caribbean island, meets him seemingly casually, who leads him and the film into another genre.

The title refers to a con game—it's explained somewhat fuzzily—of which this plot is a variation. Joe gets further and further enmeshed in troubles as he struggles to protect his process and as his position becomes more and more dangerous. At last, desperate and alone in his fight, he confides in Susan Ricci, a young woman who works for his company and who has been forthright about her personal interest in him. This confidence leads to more twists that keep exploding like a string of firecrackers, and then comes a final twist.

That last twist alters the whole film. Until then, it has been a set of machinations slickly executed. They are overly dependent on coincidences that could just as easily not have happened, but the whole is a nest of Mametian Chinese boxes. Then the ending changes the film from a progress of cruel enlightenments into arrant melodrama.

What is melodrama, quintessentially? A usable definition: drama in which, unfailingly, justice is ultimately done. The good, who are usually in physical danger, are rewarded; the bad are punished, no matter how things seem right up to the very finish. Seriously viewed, melodrama is an assurance, however dainty, that a supervising eye is always on duty in the cosmos and will ensure that virtue is rewarded. Thus, through centuries, melodrama has been a consolation to those trapped in the travails of life who may feel that their plight is unnoted.

This archetype, not quite the same as the conventional happy ending of romance and comedy, is all very well for James Bond and his many cousins, but for an author of Mamet's distinction it verges on the cheap. The quality of his dialogue and his directing makes the basic sentimentality of the ending all the more discomfiting. Throughout the film Joe is varyingly deceived, but the last change in the very being of the film means that *we* have been deceived.

Mamet is not greatly helped by two of his leading actors. Campbell Scott, as Joe, is merely capable of being credible, with no greater resonance or depth. Mamet's wife, Rebecca Pidgeon, who plays Susan, is no deeper than Scott and, as a woman supposed to have charm, does not provide it. Steve Martin is well cast as a smoothie.

A few weeks ago, *Fireworks,* the seventh film by the Japanese sensation Takeshi Kitano, which was his first to be released here. Now **Sonatine** (Rolling Thunder), an earlier Kitano film.

As expected, the newer arrival gives *Fireworks* some perspective for us. *Fireworks* was full of blood and crime but was much concerned with character. *Sonatine,* which was made some years before, is even more bloody and has little interest in character. Most of the people in it are Gangster One, Gangster Two, etc. Concern with identity was apparently still ahead for Kitano.

He, of course, wrote and directed *Sonatine* and plays the leading role, a member of the Yakuza, the Japanese

FILMS WORTH SEEING

Fireworks. *A Japanese version of an American genre—the lives of big-city detectives. An incredibly active man named Takeshi Kitano writes, directs, and stars in this, his seventh feature and his first to be shown here. (Reviewed 4/6/98)* **Primary Colors.** *Jack and Susan (not, of course, Bill and Hillary) campaigning their way to the White House. Politics continues to make strange bedfellows. Fast, sometimes funny, and depressingly believable. (4/20/98)* **Taste of Cherry.** *The Iranian master, Abbas Kiarostami, honors us with another gift. An undidactic, beautifully composed inquiry into the subject of living—why and how. (4/13/98)* **Wag the Dog.** *This time the sex is* in *the White House—and results in a huge comic maneuver to distract the public. Robert De Niro and Dustin Hoffman crackle along. (2/2/98)* **—SK**

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Mafia. His boss sends him and a squad of henchmen to Okinawa to settle turf troubles with a rival gang. Even before Kitano and pals leave Tokyo, pistols bark; and they bark even more frequently on Okinawa.

Gross and trite as the material is, Kitano shows again that he is an ingenious, purposeful filmmaker. First, he has used cinematography by Katsumi Yanagashima that is exquisite in tone. Second, Kitano's framing—of every shot—is the work of an eye that knows how to balance the pictorial and the dramatic. The contrast between the bald story and the refined texture is almost shocking, more shocking than the many killings, and that shock grips us.

Moreover, the murders themselves are treated, for the most part, in a quite formal way. Men rarely struggle to escape death: they accept it. I haven't seen such behavior in the face of death since Miklos Jancsó's *The Round-Up* and *The Red and the White*, where characters accept death as the next stage in the parts that history has given them to play. In Kitano the killings become a type of tradition or ritual. Out of a bullet-hole comes a small stream of blood as continuous as a turned-on tap. It is so antirealistic—facts about bullet wounds are completely disregarded—that Kitano is clearly treating gang shootings as a sort of ceremony, a formalism with a touch of Noh drama.

Kitano is as stoical in his acting here as he was (or, to be temporally accurate, would be) in *Fireworks*. True, he smiles a few times, even laughs once or twice, when he is in the presence of a girl who is star-struck by his criminality. But mostly he is a programmed *apparatchik*. This is all to the good. The less human he is, the more monstrous the character, the more he becomes a figure in a sanguinary ballet, a ritual.

Quentin Tarantino is involved in the American distribution of this picture, and it's easy to see why. Though without a touch of ritual elements, *Reservoir Dogs* and *Pulp Fiction* and *Jackie Brown* deal with unconcerned, offhand murder as *Sonatine* does. In his blurb for the film, I wish Tarantino had explained the title. I can't discern any resemblance in the film's structure to the sonata form and certainly don't understand the Frenchifying of sonatina. •

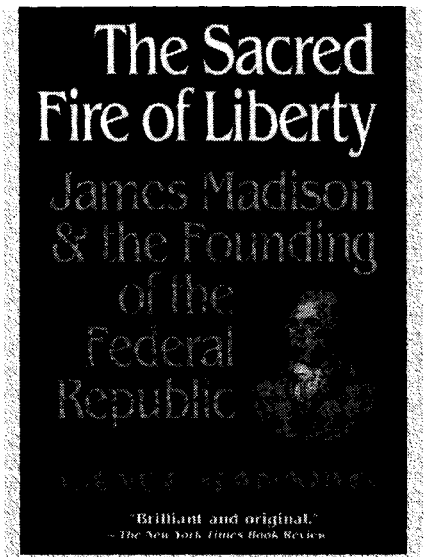
Robert Brustein on Theater

The Two O'Neills

Every serious modern playwright, no matter how sober his everyday work, likes to relax and take a vacation from time to time—Buechner with *Leonce and Lena*, Ibsen with *Peer Gynt*, Strindberg with *Lucky Peter*, Brecht with *The Caucasian Chalk Circle*. If humankind, as Eliot says, cannot bear very much reality, neither can the creative writers who remind us of this, which is why they need an occasional holiday away from their more relentless themes.

O'Neill's season in the sun is called *Ah, Wilderness!* It is a holiday play in more ways than one. Celebrating the indomitable character of the American middle-class family, *Ah, Wilderness!* is set in Connecticut on Independence Day, 1906. Since O'Neill spent most of his career dramatizing the breakdown of the American middle-class family—a reflection of what he perceived to be the breakdown of our national values—this patriotic tribute to the American past is an interesting departure, to say the least. It is also significant that, despite the inordinate success of *Ah, Wilderness!* when first produced in 1933, O'Neill did not permit another work of his to reach the stage until *The Iceman Cometh* in 1946. Watching the play, moreover, makes us realize how, in *Ah, Wilderness!*, O'Neill's creative influence extended not just to somber writers such as Arthur Miller and Tennessee Williams, but also to such positive spirits as Thornton Wilder and Neil Simon. Here O'Neill reveals the flip side not only of his own imagination but of American drama as a whole.

In short, all the circumstances surrounding the play excite the mind and arouse the imagination. What provides little stimulus for either is the play itself. The current revival of *Ah, Wilderness!*, at the Vivian Beaumont Theater in Lincoln Center, does everything possible to spur this old warhorse into a canter. It has an attractive cast, led by Craig T. Nelson as Nat Miller (a role originally played by George M. Cohan), and featuring Debra Monk as Essie Miller and Leo Burmester as her alcoholic brother Sid. It also boasts, as their rebellious son Richard, an engaging actor named Sam Trammell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who may well become the next Matthew Broderick, if his adolescent magnetism doesn't lure him into sitcoms. It has been affectionately directed by Daniel Sullivan and beautifully designed, with washes of tender nostalgia, by Thomas Lynch. (A love scene represented by a large moon, a distant star, and a derelict rowboat on a beach is especially evocative.) And it contains some bittersweet speeches, particularly Nat's concluding "September Song" lines about the beauties of autumnal and wintry age as compared with the springy pleasures of youth.

While the writing is controlled, it is far too comfortable. O'Neill defended the play, in a letter to his son, by saying it was a "new departure" that tried to capture "the spirit of a time that is dead now with all its ideals and manners and codes." And although O'Neill also claimed that the play contained very little of an autobiographical nature, one can't help noticing traces of O'Neill's past life in some of the characters. In *A Long Day's Journey Into Night*, a work set six years and written a decade later, the agreeable Miller family turns into the dysfunctional Tyrones. Dad has become a skinflint; Mom, a drug addict; and young Richard, who spouts Swinburne, Wilde, and Omar Khayyam, has matured into a character with the same poetic tastes as the equally sensitive, if now sardonic and consumptive, Edmund Tyrone. Did that lost Eden of ideals and manners and codes ever really exist?

In a little-known essay on O'Neill, Lionel Trilling noted that he was "always looking beyond the social to the transcendental," and that his revolt was that "of the conscious middle class against its own sterile complacency." The opposite seems to be true in *Ah, Wilderness!* In this play, O'Neill was writing about family values and community stability during a time when about the worst thing a child could do was drink too many sloe gin fizzes and visit a local whore, and when parents were there to provide a safety net for such mischievous behavior. These families still exist, of course, perhaps in larger numbers than we know, and their virtues deserve to be honored. But celebrating such homely values doesn't make for very penetrating drama; and besides, such plays tend to invite middle-class audiences into the very "sterile complacency" that Trilling deplored.

Clocking in at about two hours and 45 minutes, *Ah, Wilderness!* is a lot shorter than O'Neill's more epic creations. It just seems a lot longer. My wife compared it to a slow train ride that stops at every station. I think the reason for the sense of *longueurs* is that so little is at stake. Will Sid be forgiven his drunken lapses by Nat's sister Lily? Will Richard be rejected by his girlfriend Muriel because he kissed a prostitute? Who cares? The plot, the characters, and the theme of the play almost seem to call for reinforcement by song and dance, which is why the play's most appropriate incarnation was as a musical comedy called *Take Me Along*, starring Jackie Gleason as Sid. The Lincoln Center Theater has just announced a season of American musicals. Although it lacks a composer or a lyricist, *Ah, Wilderness!* may be the first event in that series.

The other O'Neill, the writer pursuing transcendence rather than domesticity, is also being represented on the New York stage these days, in a production of *The Emperor Jones* by the Wooster Group. This enterprising experimental troupe has already flexed its O'Neill muscles earlier this season with a powerful version of *The Hairy Ape*. *The Emperor Jones* is a reworking of a production that it first presented in 1993.

This relatively early work, written in the same rush of inspiration that produced *The Hairy Ape* and *Anna Christie*, would seem to be virtually unplayable today, owing to its clumsy effort to render the black idiom. Look at this typical passage: "Think dese ign'rent bush niggers dat ain't even got brains enuff to know deir own names even can catch Brutus Jones? Huh, I s'pects not! Not on yo' life." Or even worse, when Jones is preparing to flee: "Feet do yo' duty!" Perhaps recognizing that O'Neill's tin ear made almost all of his language sound stereotypical (Smitty's Cockney dialect, even in the mouth of the superb actor Willem Dafoe, is equally clumsy), the Wooster Group meets this problem head on. Brutus Jones, a role once played by the majestic Paul Robeson, is performed not by a black actor but by a white person in black face, and a woman at that (Kate Valk). Rather than normalize Jones's speech, Valk chooses to exaggerate the already exaggerated dialect into minstrel-show patter.

This is inviting trouble; but then so is the very act of producing the play. The only notes in the Wooster Group program are some generous comments from W.E.B. DuBois, defending O'Neill against those "preordained and self-appointed" judges of how black people should be represented on stage, those who would "destroy art, religion and good common sense in an effort to make everything that is said or shown propaganda for their ideas." DuBois believed that O'Neill in *The Emperor Jones* was trying to break through the defensive shells that prevent black people from being represented truthfully in the theater. Today, when even such black artists as Kara Walker and Robert Colescott are being attacked for creating black stereotypes, O'Neill's early effort at opening the doors of perception looks all the more brave and prescient.

As written, *The Emperor Jones* is a trip into the heart of darkness by an American black man who has persuaded himself that his Western reason and intelligence are protections against the voodoo spells of his native antagonists. He proves to be wrong. This former Pullman car porter and ex-convict is conquered less by external enemies than by his own terrors. Having set himself up as Emperor of a West Indian island and looted all its treasure, Jones has invented the myth that he can only be killed by a silver bullet. He eventually comes to believe the myth, too. Both the emperor Caesar and the assassin Brutus inhabit the same breast. In Trilling's words, Jones "goes backwards through social fears to very fear itself, the fear of the universe which lies in primitive religion." This is a great theme. O'Neill never lacked great themes. He lacked only the art with which to express them.

Once again the Wooster Group, under its visionary director Elizabeth LeCompte, supplies that art by distracting attention from the play and the dialogue to the theatrical medium itself. The stage is bare except for a white linoleum floor, decorated with three television screens and, for one blinding moment, three bright headlights. While the screens register ghost images, Valk and Dafoe engage each other, both displaying great vocal range and variety, sometimes as characters in O'Neill, sometimes as samurai warriors and dancers in a Kabuki drama. Two prop masters solemnly hand them their properties. Each actor carries a microphone, which also has a prop function (a walking stick for Jones, a bat for Smitty). Valk sits in a high chair on wheels, rolling her eyes and roaring her lines through a reddened mouth, a bit like Hamm in Beckett's *Endgame*. The mikes and the music (often raucous rock) are set at a high decibel level.

Those who emerge from the theater without a headache can testify to a penetrating, if painful, encounter with the play. The Wooster Group's deconstructing of classic American drama can sometimes come perilously close to desecrating it. But when successful, such approaches can also open up new avenues of understanding. "O'Neill's techniques," wrote Trilling, "like those of any sincere artist, are not fortuitous—they are the result of an attempt to say things which the accepted techniques cannot express." The same might be said for the Wooster Group. •

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The Surrender to Nature

By Tzvetan Todorov

Consilience: The Unity of Knowledge by Edward O. Wilson

(Knopf, 332 pp., $26)

Edward O. Wilson's book is subtitled "The Unity of Knowledge," but the book is not distinguished by its unity. Wilson's last chapter, for example, is a convincing cry of alarm about the dangers of genetic technology, overpopulation, and the destruction of the ecosystem, but it bears no visible relation to the rest of the work. Another chapter describes the current state of knowledge of the workings of the brain. A third chapter (and a rather uninspired one) deals with the grand principles at work in the physical sciences. And another chapter reflects at length on the symbolism of snakes in art and in dreams. Each of these subjects might deserve a page in a newspaper, but it is difficult to tell what they are doing in this book.

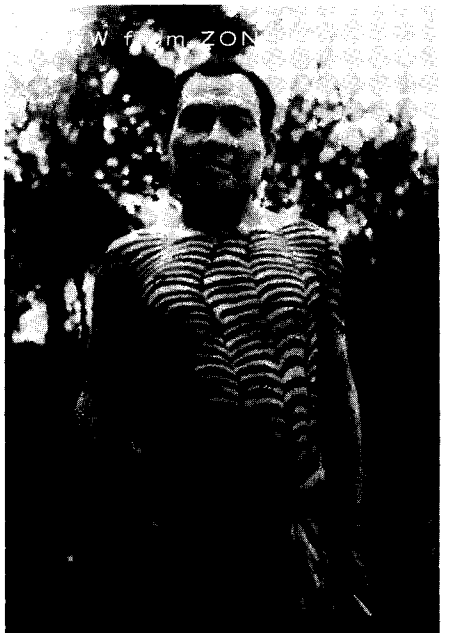
But the rest of Wilson's book does have a common theme, which is denoted somewhat enigmatically by its title. Consilience: the erudite word signifies the reconciliation, or the reunification, of the sciences. More precisely, Wilson seeks not to reconcile the natural sciences and the social sciences, but to facilitate the absorption of the latter by the former; and also to cede to the biological glutton the meaning of the creative arts and the direction of our moral and political actions. Wilson develops not one but two versions of "consilience." One is extreme, the other is moderate; one is "hard," the other is "soft." It is far from clear what unites the two versions. And so it is necessary to examine them separately.

According to the "hard" version of Wilson's theory, the world is essentially one, that is, physical. "Nature is organized by simple universal laws of physics to which all other laws and principles can eventually be reduced." This unity includes human beings. "Causal events ripple out from the genes to the cells to tissues and thence to brain and behavior." Every human characteristic has a material cause, the source of which is hereditary. "All the meaning [the brain] can master, and all the emotions it can bear, and all the shared adventure we might wish to enjoy, can be found by deciphering the hereditary orderliness that has borne our species through geological time."

In Wilson's view, we move from nature to culture smoothly, without interruption. "Nothing fundamental separates the course of human history from the course of physical history." In this world, where everything is the necessary effect of a cause, there is no room for freedom, there is room only for the illusion of freedom: what we call "free will" is just our provisional ignorance of the causes that motivate our actions. What we think of as choice is really our unconscious subjection to the "strongest epigenetic rules." Still, it is a useful illusion, since it prevents us from surrendering to fatalism.

Given that the world is one, our knowledge of it is also one. "There is intrinsically only one class of explanation." The goal of all knowledge is the demonstration of a "web of causal explanation." Just as our mental and cultural worlds are founded in the physical world, so too the social sciences must rely on the results of the natural sciences. In their present state, however, the social sciences are unsatisfactory, because they reject this natural foundation and resist assimilation into their epistemological and scientific superiors. In their explanation of human behavior, the social sciences obstinately invoke secondary factors such as "childhood, social interactions, and cultural influences." This separation must be ended. If the sciences are really to progress, they must start from biology, or more precisely, from sociobiology, a new science that eradicates the barriers. It is to the promotion of that privileged science that Wilson is dedicated.

In this way, he says, the unity of science will be achieved at last. It will rest on the idea that "all tangible phenomena, from the birth of stars to the workings of social institutions, are based on material processes that are ultimately reducible, however long and tortuous



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the sequences, to the laws of physics." Anyone who opposes this vision risks falling into the "pitfalls of metaphysics," unless he is already in the "pits of Marxism and psychoanalytic theory." And the knowledge of the arts does not escape this rule: "Even the greatest works of art might be understood fundamentally with knowledge of the biologically evolved epigenetic rules that guided them." Only the material bases of the soul, to which the natural sciences hold the key, will enable us to understand its creative forces.

Thus completed, knowledge will be able to guide our private actions and our public ones. Thanks to the intervention of biology in the exploration of human conduct, "we should be able to fashion a wiser and more enduring ethical consensus than has gone before." By identifying the "prescribing genes" of our moral choices, we may provide those choices with a firmer foundation. As for the world of political action, it is profoundly regrettable that our politicians receive no scientific education, but are content to study only the social sciences and the humanities. If things were otherwise, politicians would have been able to foresee, for example, "the collapse of the welfare state," or at least they would have agreed on its causes.

Whenever a scientist presents us with ideas, we grant them the authority of science. Now, Wilson recognizes from the outset that the preceding argument is not exactly scientific, that it derives from a "metaphysical world view" that "cannot be proved with logic from first principles or grounded in any definitive set of empirical tests." But his position is even weaker than he thinks. For it is arguable that certain empirical tests, even certain fundamental findings of biology itself, militate against the adoption of his argument.

What is at stake, surely, is the nature, and the particularity, of the human species. It is one thing to recognize that humans are animals, and to postulate that every human action ultimately has a material origin; it is another thing to assert that humanity is a species like any other, and that all human actions have an immediate explanation in material nature. For an understanding of human life, the biological is necessary, but it is certainly not sufficient. Wilson seems to want it both ways. He writes that the "sequences" that separate physical causes from actions are "long and tortuous"; but if they leave no trace of the initial causality, then it is not terribly helpful to know that matter is the ultimate basis of all human existence. To know why, say, Germany and France took opposing courses in the wake of World War I, the knowledge of physical laws, or of the genes of the Germans and the French, will be of no help whatsoever. The particularity of the human remains intact.

As all biologists know, the human species is distinguished by its flexibility, by its capacity to adapt to new circumstances. We are the species that is not content to follow its instincts. We are capable of invention and change. Some philosophers also knew this: Rousseau, for example. (Wilson paints a fanciful portrait of Rousseau; he seems to have read only summaries or citations of Rousseau's work.) Rousseau wrote, in the *Discourse on Inequality*:

> Nature alone does everything in the operations of the beast, whereas man contributes to his operations in his capacity as a free agent. The one chooses or rejects by instinct, the other by an act of freedom; as a result the beast cannot deviate from the rule prescribed to it, while man often deviates from it to his detriment.... Nature commands every animal and the beast obeys. Man experiences the same impression, but he recognizes himself free to acquiesce or to resist.

The peculiarity of the human species in the animal kingdom is twofold: man has a culture, and he knows what freedom is. Wilson does not clearly identify these two essential dimensions. Culture is a collective freedom. That we have need of a culture, that we can master a language, is a biologically determined fact; but the content of that culture, and the characteristics of that language, are not at all determined by biology. In this, man differs from other animals. This freedom called culture, moreover, is itself a determining cause. Marx and Freud disagreed with Darwin about the nature of that determinism, but they, too, believed in its inexorable force. Yet individual men and women are capable of detaching themselves, up to a point, not only from their biological determinants, but also from their cultural ones. The human species is obviously not entirely free, but it knows the motions of liberation. The individual can quit his culture as he can quit his life. This is why the history of peoples, and the biographies of individuals, are significant: they are not simply illustrations of preexisting laws.

The "surest test" for the validity of his theory, argues Wilson, will be "its effectiveness in the social sciences and humanities." Let us consider, then, several examples cited by Wilson. For every animal species, he says, and therefore also for our own, it is natural to prefer one's parents to strangers. This is owed to the fact that we share a genetic heritage with our parents. But who doesn't know that friends are often preferred to family, even to brothers and sisters? (Montaigne saw in this a distinguishing trait of humanity.) Wilson observes that the females of all mammal species are subject to the constraints of reproduction. But human females have taken control of the techniques of fertility and sterility, and have thereby become less determined by their bodies, and thus more free. Is this not also a specifically human trait? It is perhaps natural to many species for step-parents to kill their step-children; but among human beings this is rare. And so on.

The same goes for Wilson's account of our collective life. Decatur's principle, "my country right or wrong," may have a natural basis in the animal need for "territorial expansion and defense"; but human beings, throughout their history, have been capable of rejecting this principle, of being as generous to strangers as to their fellow citizens. I love my child more than my neighbor's child, but when I am cutting a cake, I give equal pieces to all. I can distinguish between love and justice.

Is war natural? But it is human also to seek to avoid war. Hierarchy is natural, says Wilson; but many of us seek to live in democratic states that diminish, and in some ways abolish, the effects of natural hierarchies. The cult of the charismatic leader, says Wilson, is natural; but we may also decide to choose our leaders by means of full and free debate, and to see in this choice the fulfillment of our idea of humanity. Who can seriously believe that the choice between dictatorship and democracy, forms of government that are contradictory to each other but contemporary with each other, has anything to do with our genes? The ethnic group is perhaps more natural than the ideological group; but Christianity has nonetheless structured the states and the societies of Europe for almost fifteen centuries. So none of his examples confirms Wilson's thesis. The theory does not pass the empirical tests that it has prepared for itself.

The social sciences, as Wilson and many others have noted, are not exactly flourishing these days, at least in the good sense. Their practitioners are usually content to dress up common sense in technical—that is, in incomprehensible—terms, by attaching it to long and expensive statistical inquiries. In the best cases, they give the impression that they are communicating an intuited truth about their subject, but a highly unscientific truth, a truth that cannot

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be turned into a formula. They are instructive in the way that the great novelists are instructive. One can learn about nineteenth-century America by reading Tocqueville just as one can learn about nineteenth-century France by reading Balzac. And why is that? Because the uniqueness of human events means that they cannot be generalized; because freedom has stood in the way of necessity.

History, the human science *par excellence*, about which Wilson says not a word, does not arise from the knowledge of implacable laws and causalities. It is an activity of interpretation, which illuminates, by judicious analogies, the meaning of otherwise incommensurable facts. This does not imply that interpretation obeys no rules; but their exigencies do not coincide with those of biology. And most people are really not prepared to have the social sciences "control their future," as Wilson would have them do. They don't think that the social sciences are capable of so doing, and for them this is a relief. Except in dictatorships, nobody controls the future—not biologists, and not sociologists—for the simple reason that human beings can intervene in their destiny, and alter it. Only Stalin dreamed of "engineers of human souls."

And what about art? Does sociobiology enlighten us as to the nature of artistic creation? No, if we are to judge by what Wilson offers us here—a series of clichés (artists seek elegance, art imposes order on chaos, we are as attracted to the known as to the unknown) garnished by a few examples: the representation of snakes in the work of Pablo Amaringo, a Peruvian artist, and a youthful landscape by Mondrian. ("The arrangement of open space and water nearby are those that recent psychological studies have revealed to be innately among the most attractive out of all such possible arrangements.") The central problems of art seem to have escaped Wilson's attention.

As for ethics, Wilson approaches it in a curious manner. He divides all attempts to locate the foundations of morality into two groups: the transcendentalists and the empiricists. The former believe that ethics are independent of men, but have their origin elsewhere, in God. The latter seek to establish ethics in human characteristics; and it is in this manner that the sociobiologists proceed. But such a crude distinction does not provide an adequate account of the history of ethics.

If we are to stay at Wilson's level of generality, then the great divide in the development of morality is between nature and convention. (We owe

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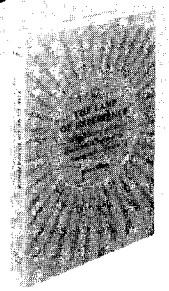

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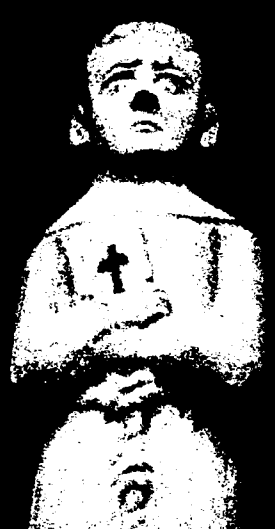

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the distinction to the Sophists.) Nature and convention can be found throughout the history of ethics; but one can say, speaking roughly, that the ancients leaned toward a natural basis (whether in the nature of the cosmos, as often with the Greeks, or in the will of God, as with the Christians), while the moderns are more on the side of convention, and moral rules are presented as human invention. (Thus Montaigne: "Our duty has no rule but a fortuitous one.") This "conventionalism" of the Renaissance, of which contemporary moral relativism is the heir, was in turn called into question in the eighteenth century by writers who wanted, once again, to locate the foundation of ethics in nature: not in the nature of the cosmos, but in the nature of man. This was the case, for example, with the "materialists" of the French Enlightenment.

John Rock

(for Dan Noland)

Fingerlings pocked the surface from beneath
where mossed logs crossed the creek, a luminous shock
of green suffusing the birches. . . .
Maybe an hour
passed like that, deep in the understory of ferns,
before the path forked: switchback after switchback

worked upslope in earnest, into the static
body of overcast, coves of the Fraser firs.
The rest of the day, through talus, rockslide, and snowmelt
violets (like small explosions of blood in my brain),
I climbed through the earliest drafts of March, and though

I couldn't make out much in the matte-white fogswell
washing over the Cat Gap when I crossed—
when the trail eased through the ridgecrest scrub-oaks, thickets
of rhododendron, onto the lichened skull
of John Rock—I knew suddenly where I was.

I knew where I was because I'd studied the contours,
elevations; I'd considered Pisgah
ridge by ridge—imagining the climb,
the cold topographies I'd learned by heart,
long views across the Piedmont and the plain.

But there was nothing there: I looked out on
that surface of mercurial calm—the level
cloudmass islanding the overlook—
and far beyond, vast plateaus, faultlines, but
no other view, as far as I could see. . .

No seaboard, mind of God, no "deep and gloomy
breathing-place" a half mile off, and nothing
beneath me but the faintly venous blue
rifts in the flesh of weather, whiter cirrus
banked up over interiors of ash.

And in that gaze—that instant—I shrank back,
and started jogging down the long way back
through the mist and drizzle of coniferous darkness;
I could already feel the switchbacks buckling,
the entire mountainside unfolding in

slow motion. . . .
Then, a bit of light at the end
of the loop, my car parked next to a silted creek
in the sweet, deciduous landscape of the living.

MICHAEL WHITE

But then a question arises. Is everything that is natural good? Sade gave an extreme answer: cruelty is natural, and therefore good; to kill is natural, and therefore good. It was an answer that was completely consistent with the premises of naturalism. Others sought to moderate this extremism by choosing to base ethics on only a part of human nature. But surely they risk sinking back into conventionalism, since it was a criterion external to nature that determined their choice. Wilson is utterly unaware of this problem. He acts as if the discovery of our conformity to nature sufficed as a foundation for our morality. In his account, nature is all we need to know.

It is no wonder that Wilson's best example of moral behavior seems to be the solidarity of the group, and patriotism. (He sometimes refers to it as altruism, but it would be best described as collective egotism.) Justice, generosity, love—all that we would deem to be humanity's finest qualities—do not enter into Wilson's account. Nor does he note the essential difference between the "moral code" of termites, the rules governing their lives, and that of human beings. The difference, of course, is that the latter are not obliged to obey a code. They may choose their acts with a certain degree of liberty. For a human being, to follow one's nature or the conventions of one's group is perhaps normal, but it is not necessarily what we call moral. If one is content with the demands of nature, as sociobiology recommends, then one will certainly come to reduce all of morality to the odious and well-known maxim that "might makes right."

Yet we are not condemned to choose between human nature and cosmic nature for the foundations of our ethics, or between naturalism and conventionalism. We may believe that universal human values conform to what we know of human identity without considering them to be the inevitable consequence of that identity. It is not because a thing is natural that it is good; but what we affirm to be good for all human beings must correspond to some traits characteristic of the species. Human morality is for humans. This is exactly what Rousseau and Kant, the most profound Enlightenment thinkers, suggest. But Kant finds no more favor in Wilson's eyes than does Rousseau. Wilson complains that "Kant, even apart from his tortured prose, is so hard to understand." Still, the defeated Wilson is not intimidated from suggesting that the reason for his own failure with Kant lies with Kant: "Sometimes a concept is

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baffling not because it is profound but because it is wrong." Exit Kant.

For Rousseau and Kant, autonomy, or the possibility of acting according to one's will, is a value; and this is owed precisely to the particularity of the human species. Unlike all other species, this species is not entirely predetermined. The non-instrumentality of the human being, the refusal to see him or her reduced to a means to an end, is a value because our species is sociable, and the happiness of the other is indispensable to my own. Universality is a value, because human beings belong to one and the same species. Now, all these values have a counterpart in human nature, but this naturalism is insufficient as a basis for our valuations: for we must also, by an act of reason, choose certain traits of this nature over others. We do this because we want these values to be shared by all. Thus "the survival of the fittest" is natural, but it is not among the human virtues, since it does not accommodate the less fit, that is, the vast majority of us.

So is Wilson wrong? It certainly looks that way, though the preceding criticisms pertain only to the "hard" version of his thesis. There is also the "soft" Wilson, the more agreeable Wilson. For this other Wilson, the human being never ceases to be an animal, but one must not confuse the necessary with the sufficient. For this other Wilson, physics does not adequately explain life, nor does biology explain culture. Genes prescribe no particular cultural trait, and conclusions drawn from heredity are always extremely risky. The idea that there exist "hereditary behavioral differences among ethnic groups" is "unproven and ideologically dangerous." Even a trait as distinct as musical talent has no precise genetic counterpart. The greatest revolutions in the history of mankind correspond to no genetic change. Culture is much more responsible for our differences than genes: "The culture of the Kalahari hunter-gatherers is very distinct from that of Parisians, but the differences between them are primarily a result of divergence in history and environment, and are not genetic in origin." This is why human affairs should not be left to physicists or to biologists: scientists remain habitually "poorly informed about the rest of the world," and "many accomplished scientists are narrow, foolish people."

The agreeable Wilson goes on. Not only is culture relatively independent from the biological laws of the species; it is also able to confront those laws, and to challenge them. Culture may incline individuals toward death rather than life: suicidal individuals, like suicidal societies, exist. "Culture can indeed run wild for a while, and even destroy the individuals that foster it." Is this not proof of humanity's inalienable freedom? "Human beings may be unique in degree of behavioral plasticity"; and owing to this capacity to break away from their innate nature, they are "the only species to suffer psychological exile," "the first truly free species," able to achieve autonomy in the Kantian sense. This, in fact, is the danger that threatens us: we risk becoming too free, by wholly mastering the genetic processes and unleashing a new era of "volitional evolution." This is a specifically human temptation, and it could result in a species that would no longer be human.

So what are we to do with these two versions of the theory, or rather with these two theories? I have the impression that there are not two Wilsons, there is one Wilson who writes, a little cunningly, on two levels. His hard version is the sensational one, designed for the newspapers. His soft version is the prudent one, which enables him to respond to objections by retorting: "But that is exactly what I'm saying!" All this is rhetorically clever. Unfortunately, it is logically untenable.

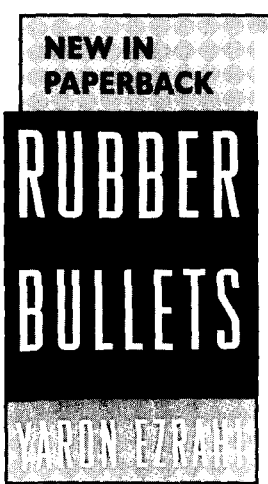
What is original in Wilson's book is indefensible, and what is true in it is banal. For who (aside from a few hardened postmodernists) is any longer startled by the assertions that knowledge is useful and magic is not; that science is universal and that progress exists; that man is a biological species in whom some traits are innate and some traits are acquired? There are a few startling suggestions in Wilson's book (startling, that is, in a book of this sort); but they are practical tips ("plan to publish in a reputable, peer-reviewed journal," "find a paradigm for which you can raise money") that do not merit philosophical discussion.

Must we really aspire, as Wilson's subtitle demands, to the unity of knowledge, and even to a fusion of knowledge and action? It is undeniable that the sciences presently suffer from overspecialization, which is particularly unjustified in the social sciences and the humanities; and certainly all attempts at their mutual comprehension must be applauded. But surely this does not mean that all the boundaries must be erased. Surely the nature of knowledge differs with the object of knowledge. The laws of living organisms and the "laws" of human history are differently known, with different standards of evidence and certainty. The qualities that are demanded of scientists and scholars in one realm are not the qualities that are demanded of scientists and scholars in another realm, beyond the common requirement of rigor. Wilson's inability to read Rousseau and Kant is itself an eloquent illustration of this difference.

It is even less desirable to seek to unite knowledge and action. As Rousseau understood, the acquisition of knowledge does not automatically render human beings better; and we require of men and women in politics, and in their relations with each other generally, not that they be better scientists or better experts in the humanities, but that they be courageous, just, and compassionate. The catastrophe of the two regimes that appealed to a scientific politics—to the laws of biology, in the case of the Nazis, to the laws of history, in the case of the Communists—merits further reflection. I have a proposal for Wilson's next book. I propose that he deliver, not an ambitious synthesis of all the sciences, but a precise and profound analysis of Social Darwinism, the doctrine that was adopted by Hitler, and of the ways in which it differs from sociobiology.

—translated from the French by Claire Messud

TZVETAN TODOROV is the author, among other books, of *On Human Diversity* (Harvard).



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The human cunning of Horace.

The Protection of Poetry

BY PETER GREEN

Auden said that Edward Lear "became a land." For most of us who think about him at all, the Roman poet Horace has long since become an institution and, for scholars, an industry. We began by domesticating his name. "Horace" is friendly, cuddly, and just the tiniest bit ridiculous. It is certainly not the same thing as Quintus Horatius Flaccus. "Fat, beery, beefy Horace," a teacher of mine once described him: an Anglo appropriation if ever there was one, since he never drank beer (he was a wine-bibber of some discrimination), and seems to have preferred fowl, young lamb, or even eggs to a hearty steak. Still, we have Augustus's word for it, as well as the poet's own assurance, that he was short and fat. The emperor also characterized him, somewhat ambiguously, as a "squeaky-clean little prick," which my teacher unaccountably failed to mention.

Together with his friend Publius Vergilius Maro (similarly domesticated as "Virgil"), Horace served the Augustan regime as a kind of unofficial joint poet laureate. He was the protegé of Octavian's immensely wealthy, cultured and epicene *éminence grise* Maecenas. He spent an outwardly uneventful career, enjoying the fruits of his beloved Sabine estate, and died on November 27, 8 BC, of a sudden illness, in his late fifties, leaving behind a body of poetry that has woven itself into the very texture of the European literary tradition.

Horace has always appealed particularly to the English. This is odd, since his English advocates, with few exceptions, have failed to understand him. (Consider Peter Levi's reason for supposing that Horace remained a lifelong bachelor. This, says Levi, with a straight face, was due to his being barred, as a freedman's son, from marrying into the aristocracy, with the clear implication that nothing less would do—a parody of the upward anguish of the English worthy of Waugh at his dottiest.) Horace rates five full pages in *The Oxford Dictionary of Quotations*: more than Virgil, and a great deal more than Homer. When I looked him up on my university library's database, I found, in addition to the usual subheadings ("bibliography," "criticism," "influence," and so on), also "anniversaries," "homes and haunts," "humor," "musical settings," and "parodies," which testifies eloquently to his comfortable cross-cultural assimilation.

In a largely Latinless world, Horace's tags are still quoted: *hoc genus omne, pulvis et umbra, eheu fugaces, carpe diem, integer vitae, sub judice.* It was not so long ago that ten times that number were common coin, and the essence of many of them still survives in translation. When we speak of a complete and well-rounded personality, when we say "change the name and it's your story," when we explain in justification that "even Homer nods," when we criticize a text for its "purple patches," when we dismiss voluminous arguments that lead nowhere as a mountain that brought forth a mouse, whether we know it or not, it is Horace whom we are quoting.

In fact, the characteristic that English-language fans have always enjoyed most about this poet is his decent, civilized, middle-class, middle-of-the-roadishness, his preference for the "golden mean" (*aurea mediocritas*, a phrase capable of more than one interpretation). David Ferry, in the introduction to his translation of the *Odes*, sees this aspect of Horace very clearly. He lists the poet's repetitive themes with admirable concision:

> Stay in the middle, don't go too far out; remember that you are going to die, remember that you'll lose your good looks, that your love will alter, that you will grow old; don't be greedy, be content with what you have; power corrupts, riches corrupt, use them wisely; return to the ways of your virtuous ancestors; poetry immortalizes; poetry can do nothing against death.

As Ferry says, whatever our reaction to these platitudes, it hardly includes surprise. Instead, he fastens on the possible variations inherent in particular performance: "One of the great pleasures of the four books of Horace's odes is to see *how he will do it this time.*" Postumus, Dellius, Leuconoe, Torquatus, and Sestius all have to be lectured on the inevitability of death. Watch this "adroitest of artists" (Auden's encomium) ring the changes! Stoic admonishment, pity tinged with cruelty, elegant nostalgia, flat realism, hedonistic wine-and-roses: he can manage them all with equal finesse.

What has been tactfully omitted from this list, of course, is Horace's propaganda work for the Augustan regime: no less propaganda because much of it happens to be real poetry. Those who like to think of him as the Rural Sage of Tivoli—apolitical, a modest occasional host, penning wise aphorisms and feather-light (and probably fictional) erotica on the equivalent of a government pension—tend to scant the often harsh realities of his life and times. This is at first sight odd, because (as the great Eduard Fraenkel, Peter Levi's favorite scholar, observed in 1957) "Horace tells us far more about himself, his character, his development, and his way of life ... than any other great poet in antiquity."

We know the precise date and the precise place of his birth (December 8, 65 BC, in the Apulian town of Venusia). We know about his father, the ex-slave made good, determined to give his son the best available education, and reinforcing it with stern moral precepts. We know about Horace's brief and inglorious army career, during the civil wars that tore the Republic apart in its final years. Appointed a *tribunus militum*, or legionary staff officer, by Marcus Brutus, he cut and ran after the battle of Philippi in 42 BC, when Brutus's forces were crushingly defeated by Mark Antony and Octavian, uneasy allies who later fought each other. We know that the subsequent confiscation of his father's estate left the would-be poet in reduced circumstances, forcing him to purchase a post as *scriba quaestorius*, a clerk in the Treasury. We know that it was the early verse composed during this period that brought him to the attention of Maecenas, and then to the attention of Octavian, who

The Odes of Horace: Bilingual Edition
translated by David Ferry
(Farrar, Straus and Giroux, 344 pp., $35)

Horace: A Life
by Peter Levi
(Routledge, 270 pp., $40)

Horace in English
edited by D.S. Carne-Ross and Kenneth Haynes
(Penguin, 560 pp., $14.95)

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was soon to rename himself Augustus. As was the case earlier for Virgil, benign literary patronage and a much-prized life of leisure (*otium*) followed.

Just how do we know all this? Apart from a short but invaluable *Life* by Suetonius, almost all the information comes from Horace himself. In our age of image-management, it is only natural to assume that so determined a literary climber should have put together, for contemporaries and posterity alike, the kind of self-portrait that showed him in the best possible light. And so indeed he did. Three years ago, in *Horace: Behind the Public Poetry*, R.O.A.M. Lyne, using a subtle combination of literary and historical detective work, made it intriguingly clear that the popular picture of Horace the apolitical country gentleman was Horace's own carefully crafted spin, designed for protection in troubled times. It gives a very partial version of the truth.

Horace plays down his family resources (his education in Rome and Athens cost a pretty packet), and he exaggerates the humility proper to a freedman's son. As Levi sensibly speculates, Horace's father seems to have been a provincial gentleman captured and sold into slavery during the revolt of the Italian allies in 90-89 BC; and he did very well for himself after manumission. (Still, he owed his prosperity to what Romans regarded as ungentlemanly pursuits: auctioneering, and possibly trading in salted fish.) Indeed, the evidence suggests that, prior to the fatal year of 42 BC, Horace actually enjoyed equestrian status. (Minimum net worth: 400,000 sesterces.) Then came Athens, and the approach from Brutus—which again suggests respectable wealth, for military tribunes were not recruited from riffraff, even in an emergency. Poets might make unhandy soldiers, as Horace later wrote; but he was young, idealistic, antityrannical, in love with the Republic. For the first and last time in his life, he committed himself to a lost cause.

Civil wars and occupations are not kind to writers. (Auden ended "Spain 1937" with a Thucydidean truism: "History to the defeated / May say Alas but cannot help or pardon.") The young man who briefly and ingloriously fought for the disintegrating Republic now had to choose between rival warlords. Worse, proscriptions robbed him of his patrimony, leaving him doubly vulnerable. Octavian or Antonius? Like Cavafy's Alexandrians, who left an eight-letter space on the triumphal memorial that would fit either of the two at short notice, Horace thought it best to hedge his bets. If he could make moral or philosophical capital out of such nervous neutrality, so much the better.

For a decade—the years of the earlier *Epodes* and *Satires*, of the first hints of rescue from Maecenas—Horace firmly emphasized his nonpolitical stance, the high-minded literary basis of his budding *amicitia* with the great. It was just as well. With Octavian and Antony rapidly moving toward open war, there was the horrible risk of choosing the wrong side a second time. His search for support in high places also carried social risks, now that he was short of money. Patronage in Rome had a long tradition of cash hand-outs for impecunious hangers-on (*clientes*) in return for dutiful sucking-up and party-line encomia. And Horace's own actions were so interpreted. The commentator Porphyrio later tut-tutted over Horace styling himself an *amicus* of the great: "client," he said, better suited the poet's position. *Primo Maecenati, mox Augusto insinuatus*, Suetonius says of Horace: he wormed his way into favor first with Maecenas, and then with Augustus. Here, in sum, was an image that badly needed skilled management. With a little luck, shared moral and intellectual idealism would iron out those embarrassing social and financial differences.

What removed the need for his nervous balancing-act, as Lyne emphasizes, was Octavian's final and stunning naval defeat of Antony and Cleopatra at Actium in 31 BC. Overnight, the future became clear—and Horace promptly emerged as the *vox Augusti*, the promoter in poetry of an essentially authoritarian regime, the spokesman for moral regeneration, good public order, and the rewards and responsibilities of empire. What a change! In the early fall of 40, he had treated a journey with Maecenas to a tense summit conference between Octavian and Antony in Brindisi as nothing more than a chatty pleasure trip, a literary *jeu d'esprit*. Now, suddenly, in a poem that might be called "To Maecenas on his Going to the Wars," he not only celebrates Octavian's naval victory, but writes as though that victory had not yet taken place, and divine afflatus had descended as prophecy rather than with hindsight. At long last, his public stance was set.

It is generally held that the recruitment of Virgil and Horace as high literary advocates for the Augustan regime denoted a sincere and honorable choice by both men. I am sure that this was so. After the anarchy, the fratricidal bloodshed, the collapse of government and order, the all-too-visible ruin of a once-rich countryside, Octavian must indeed have seemed a savior. In Virgil's first Eclogue, a herdsman, commenting on the peaceful bucolic scene, declares flatly: "It was a god that brought about this peaceful leisure for us." In the fourth Eclogue, celebrating the future birth of a child (perhaps Octavian's), Virgil, as Levi says, "is so radiant with optimism the eclogue has been taken to be literally Messianic.... For people like Horace and Virgil and Propertius and Tibullus that victory [Actium] just seemed the only hope for Italy and for civilised life." The victor had brought peace, a chance to rebuild. He spoke of a new world order. Poets and visionaries could joyously offer their services to the cause. *Magnus ab integro saeclorum nascitur ordo*, Virgil wrote: "The great sequence of the ages is born anew." Out of that vision came Horace's Roman odes and Virgil's *Aeneid*.

The trouble—in retrospect all too obvious—is that the vision contained the seeds of its own corruption. As politicians down the ages have always known, gratitude is a powerful sense of favors still to come. For the ruling classes in Rome, having their state rescued from anarchy was all very well; but once the situation was stabilized, and peace had prevailed for a while, increasing numbers of them yearned for a return to the traditional system of republican government with which they had grown up. (Most scholars, in the name of realism, make the mistake of dismissing this movement as impractical nostalgia for what was lost beyond recall.) Instead, Rome found itself faced with the prospect of autocratic rule without end. Even at the beginning, it took diplomacy to talk Augustus out of holding the consulship every year. Disagreement edged slowly nearer to *lèse-majesté*. And court poets found themselves being pressured to glorify Caesar (now not only a family name through adoption, but also an Imperial title) by writing historical epics about his achievements. Dictators have seldom been renowned for good literary taste.

The poets resisted this pressure as best they could. In fact, they became so skilled at offering persuasive excuses that the exercise acquired formal rhetorical status, and was labeled *recusatio*. Virgil made things easier for them not only by avoiding the dangerous present and going back to foundation legends, but also by doing it so well that those who came after him could claim that he had exhausted the genre. "Yield, Roman writers," the poet Propertius announced, when publication of the *Aeneid* was imminent, "yield, Greeks! Something bigger than the *Iliad* is hatching."

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Yet Virgil had a bad conscience about the *Aeneid*. He left instructions in his will (ignored, of course) that it should be burned. I don't think that this was a literary judgment. Virgil must have realized the dilemma in which Roman literature had been placed. The message of the *Aeneid*, and of some of Horace's Roman odes, came through loud and clear. Rome's prime business was not science or the arts, but imperial rule: the imposition of order, the government of nations, generosity to the compliant, brutality to the arrogant. A writer had to go with this official poetry, an increasingly unpalatable decision as time went on; or to attack it, which was a dangerous business, and meant protecting oneself through allegory and indirection; or to stick to nonpolitical topics such as erotica or myth, with the double risk of incurring censure as a mere flâneur, and being accused of crypto-political subversion anyway. And so the old unrestricted energies of republican Rome and the Italian provinces, which had thrown up such diverse and original writers as Lucretius, Catullus, Varro, Cato, and Cicero, withered and died under the empire.

Did Virgil or Horace look far enough ahead to guess at the terrible price, in rhetoricization and dissimulation, that even mildly dissident writers would have to pay by Nero's day, when power and its corruption had reached a point of absolutism at which even Augustus might have blanched? It is currently fashionable to pooh-pooh this notion, to argue that Caligula or Nero or Domitian were able, if headstrong, administrators misrepresented to posterity by subversive propaganda. But those with experience of totalitarianism in our own time—such as the brilliant Russian classicist Vasily Rudich, whose *Dissidence and Literature under Nero* (1997) does not seem to have figured in Levi's reading—recognize the grim reality of what our ancient sources tell us.

Did Horace? Hard to tell; but there are hints. *Dis te minorem quod geris imperas*, he wrote, in one of his pithier and more pregnant aphorisms, impossible to translate without dilution. "The only way to rule is to serve the gods" is Ferry's limp version, which misses the nub of the admonition. What Horace is saying to his unnamed but unmistakable Roman leader is, rather, "you rule because you hold yourself lower than the gods." Some of the later Julio-Claudians were not quite so self-effacing, and the result was the dreadful Year of the Four Emperors in 69 AD, when, after Nero's assassination, Galba, Otho, and Vitellius all died aiming for the imperial purple with their legions, and the elderly Vespasian was left in possession of the prize they had sought.

At the very least, Horace had the sense to keep his relationship with Augustus at arm's length. Pleading ill health, he refused an invitation to become the emperor's private secretary, just as he kept fending off requests for epic. Augustus claimed not to mind, but Horace's capacity for *recusatio* had been sorely tested. Occasionally he gave in. For the inception of the imperial "New Age," he agreed to write a celebratory hymn, to be sung by a mixed boys' and girls' choir. Personal prodding (as Suetonius reveals) led to a spot for Augustus in one of the later Epistles. The last book of Odes had to be dragged out of him by special request.

Horace was lucky to be in on the ground floor, as it were: both his great patrons cut him a considerable amount of slack, which one certainly cannot imagine Caligula or Domitian doing. However the relationship began, it seems to have ended in genuine and comfortable friendship, certainly with Maecenas, who in his will admonished Augustus to "hold Horatius Flaccus in your memory as you would me." Horace himself died a bare two months later, as though unwilling to test the emperor's good will. Indeed, some of Augustus's comments still carry a sly note of *de haut en bas* mockery: the ruler amused by the foibles of his paid employee.

Still, Horace by and large did very nicely for himself. He lived a comfortable, work-free rentier's life. The gifts that patronage bestowed on him (he was always at pains to minimize them in his published work) included not only the Sabine estate, but a townhouse and several other properties. Suetonius informs us that he was obsessed with sex, had a mirror-lined bedroom, and was something of a voyeur; so perhaps the various occasional pieces through which golden boys and girls romp (all with Greek names: Glycera, Lyde, Lycidas, Phyllis) may have been more than mere literary exercises, and their only begetter not quite so squeaky-clean as Augustus alleged. This was a most complicated and elusive human being.

As Lyne remarks, "Horace dons mask after mask, changing, for example, as he changes genre; we can never be certain that we have penetrated to the man behind the mask." The challenge is irresistible. How does Peter Levi—ex-priest, ex-don, a versatile classicist and a poet—go about meeting it? In a very old-fashioned way. Levi's Horace is by and large Horace's Horace, which is a version that we must regard with some wariness: the "sleek porker from Epicurus's herd," as he once deprecatingly described himself, throwing off patriotic aphorisms (which later, as we know from Kipling's "Stalky & Co.," were to sustain the servants of the British Raj in tight corners) in the intervals of enjoying good wine, good literature, moral uplift, and the occasional flirtation.

Levi cites a famous episode from World War II as marking, regretfully, perhaps the last time that Horace's poetry served as this kind of private talisman, linking educated men of good will in an international brotherhood. (No wonder Kipling found him so congenial!) This was the exchange, in a Cretan cave at dawn, between Patrick Leigh Fermor and General Kreipe, the commander of German troops on the island, whom Leigh Fermor had daringly kidnapped and afterwards evacuated to Alexandria. The general, staring at the snow-capped peaks opposite, quoted to himself the first few words of an ode by Horace that also spoke of a snowy mountain: "*Vides ut alta stet nive candidum / Soracte*"—at which point his captor took over and declaimed the rest of the poem. "Ach, so, Herr Major," the general said, and the relationship between captor and captive changed forever.

Levi's point, as so often, is well taken. Still, he irritates past belief by sloppiness over detail. I can forgive him for demoting Leigh Fermor from major to captain; but he also, maddeningly, reverses the roles, having the Englishman, not his prisoner, start the quotation and Kreipe finish it, thus ruining the point of the story (senior officer reconciled to captivity by proven civilization of foreign captor). Within the next two pages, we find Courbaud's 1914 edition of the *Epistles* dated 1915 and his name given as Corbaud, as well as Sir Richard Fanshawe confidently identified as Milton's successor as Latin Secretary under Charles II, whereas his reward was the ambassadorship to Spain and Portugal. All this, in the introduction alone. Theocritus was from Sicily, not south Italy. Saturnian meter is not the same as the modern Greek fifteen-syllable ballad meter. And so on. One can only hope that the odder misspellings are typos.

What is going on here? Levi has a comfortable familiarity with an enormous body of classical and European literature, large chunks of which he seems to know by heart, and enjoys quoting. The bulk of his book is a kind of guided chronological tour through Horace's poetic corpus, a running commentary that much of the time seems to be operating by free association. It is as though Levi sat down, turned on the tape-recorder, opened his well-thumbed and copiously annotated text of Horace, took a sip of sherry, and ad libbed the

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substance of a lifetime's lecturing. Obviously, with such a technique, there are bound to be slips, wandering sentences, misquotations from memory. But the overall result, at its best, can be spellbinding.

Levi loves, as do I, the first three books of the *Odes*, "poetry so perfect it was like full moon: one could not credit it would ever die." But the way he rambles on, rather like John Aubrey, can become wearing. Introducing Trebatius, the lawyer dedicatee of *Satires* 2.1, he moves from his birthplace, Velia, to thoughts on sea-incursion and the nearby temples of Paestum, remarking that when these were rediscovered in the eighteenth century "they were in use as stables for water buffaloes, whose milk produced mozzarella cheese." No one else (except perhaps Dickens) would have included that last tidbit.

Levi's technique works well enough for the *Satires* and *Epistles*, where his loose and chatty style fits in nicely with Horace's own discursive Latin, his relaxed, artfully vernacular hexameters. These poems also accommodate themselves quite comfortably to translation, as Niall Rudd demonstrated in 1973 in *The Satires of Horace and Persius*:

> Pollio celebrates the deeds of kings
> with triple beat. Varius marshals heroic epic
> with a fiery spirit no one can match.
> To Virgil the Muses
> who love the countryside have given a light
> and charming touch.

Levi's Augustanism, by contrast, turns out to be of the eighteenth-century variety, and he goes, rather costively, for rhymed and stopped couplets that have more in common with Dr. Johnson than with Horace:

> Pollio who sings
> In hexametral rhythm the deeds of kings;
> Courageous sharp epic no man can write
> Like Varius, the Muses who delight
> In country things have granted to Virgil
> All softness, charm, and sparkling overspill.

We get a lot of Levi's translations in this book. Auden told him that he should attempt the whole of Horace, and it was one of the old codger's less happy recommendations. The specimens of the *Satires* and *Epistles* that Levi offers are, like the quotation given here, no worse than awkward, old-fashioned, and inappropriate. His versions of the *Odes* and *Epodes* are plain excruciating.

For this, it is hard to blame him. A survey of the versions offered by D.S. Carne-Ross and Kenneth Haynes's *Horace in English*, from Henry Howard, Earl of Surrey through Jonson, Milton, Dryden, Pope, Cowper, Wordsworth, Tennyson, Housman, Kipling, Pound, Bunting and many others to David Ferry, when combined with a knowledge of the mosaic, heavily inflected Latin in which the *Odes* were written (there are virtually no guiding particles, and everything is dependent on tight, intricately patterned word-order), should make it crystal clear that the *Odes* are all but untranslatable. What we get instead are pastiche imitations in the style of the moment. In his long and erudite introduction, Carne-Ross has the merit of not only seeing this, but also calling for versions that tackle the problem head-on, offering "not English Horace but difficult, foreign, Latin Horace through whose intricate stanzas we make our careful way as we do with the originals." Not before time, I can't help feeling, after so many centuries of dollying Horace up as pseudo-Marvell or sub-Cowper. This means coming to terms not only with tightly packed Latinate word-order, but also with rhythmically subtle, often Greek-derived, Latin lyric meters, two hurdles that translators down the ages have been signally unwilling to face.

Take the first stanza of the famous Postumus ode. First, the Latin:

> Eheu fugaces, Postume, Postume,
> labuntur anni, nec pietas moram
> rugis et instanti senectae
> adferet indomitaeque morti.

Alcaic metre: imitable, as Tennyson found, but few have tried. Carne-Ross rightly emphasizes "the weight, the slow implacable thud, of the Latin syllables." Next, Levi:

> Oh Postumus, Postumus, the years run
> Away like water, nor does religion
> Delay wrinkles, or the same
> Death that nothing will shame.

Here rhyme not only distracts, but forces the translation; the rhythm and word-impact of the original are lost. Now Ferry:

> How the years go by, alas how the years
> go by.
> Behaving well can do nothing at all
> about it.
> Wrinkles will come, old age will come,
> and death,
> Indomitable. Nothing at all will work.

No Postumus, and a jaunty rhythm and tone that reduce the message to a conversational commonplace. Gavin Ewart, a fine technician unaccountably missing from *Horace in English*, struggled to keep the word-order:

> Alas fleeting, Postumus, Postumus,
> slide years nor piety delay
> to wrinkles and impending age
> will bring and to untamed death.

A brave try, but it isn't an alcaic. The unkind might add that it isn't English, either.

Maybe the task is impossible, but I remain obstinately unpersuaded. Patrick Wilkinson, in *Ovid Recalled* (1955), complained that there was no easy way of translating the alcaic stanza into English. To this J.B. Leishman snapped back that "there certainly is not, for it was by no easy way that Horace produced it." So I sat down and tried for myself, word-order, meter, and all. Here is the result:

> Alas, so fleeting, Postumus, Postumus,
> Slide past the years; delay them your piety
> Cannot—the wrinkles, old age thrusting
> On you, and death never yet defeated.

That took me ten minutes. There should be plenty of far more skilled metricians ready to throw their hats in the ring. Yet what emerges, again and again—and not just today, as the Carne-Ross anthology amply demonstrates—is the English-language trend du jour.

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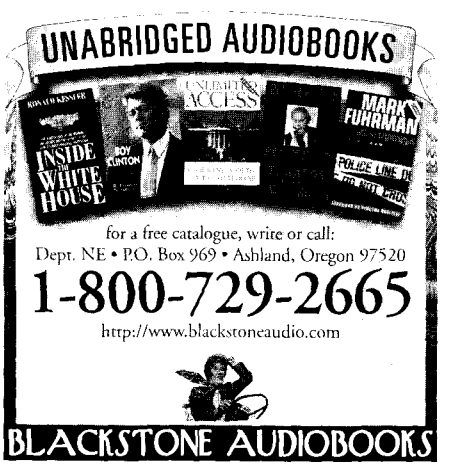

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I'm not sure what the moral of this is. I do know that, like Peter Levi, I have enjoyed Horace's *Odes* since adolescence, for their wry wisdom, their exquisite sense of impermanence, their cynicism, stoicism, and epicureanism (Horace was a philosophical magpie), their quiet courage in dangerous times, above all for the scintillating and unique skill with words that stamps them all into one's memory. I have seen many worse translations than David Ferry's, and occasionally he scores, as with the beginning of 4.1. ("Venus, it seems that now / Your wars are starting again. / Spare me, spare me, I pray. / I am not what I was / When tender Cynara ruled me.") Too often, though, he is prolix, chatty, and cute.

The best thing by far about Ferry's *The Odes of Horace* is that it is bilingual. Again and again the eye is drawn to the left-hand page to see the exquisite original bricks from which Ferry is extrapolating his straw. The well-meshed words seduce. They and their syncopated, unfamiliar rhythms are incantatory. I suspect that a surprising number of people, after tempting exposure of this sort, will quietly go away and start learning Latin; and if enough of them do that, we won't need translations anymore, except to let the *litterateurs* show off, which is anyway their most popular current use. Master the original languages, and you can then enjoy true variation-spinners such as Christopher Logue, or, for Horace, Donald Hall with his delightfully apt Horse-collar Odes (Carne-Ross misses these, too), however whimsically they may stray from their theme. Until then, most readers will have to rely, like Ptolemaic administrators in Egypt, on interpreters; and what that means, alas, a perusal of *Horace in English* will tell them with quite uncommon clarity. •

A Severe Ecstasy

BY YEHUDAH MIRSKY

The Faith of the Mithnagdim: Rabbinic Responses to Hasidic Rapture by Allan Nadler

(Johns Hopkins University Press, 254 pp., $35)

When I was growing up in New York, my family would sometimes pray at a local *shtiebel*, Yiddish for "little room," the designation for smallish, usually ramshackle, Hasidic synagogues. Late in the day on Saturday, the rabbi and his congregants would gather around a table for the third Sabbath meal, which, in the Kabbalistic tradition, marks the passing of the day, and of the union of higher and lower worlds brought about by the Sabbath. The men would sing the hymns written by the great sixteenth-century divine Isaac Luria, evoking the spiritual twilight. My father, himself a rabbi, did not join in the singing. He would remain in the sanctuary with a volume of Talmud, and mark the Sabbath dusk by laboring through the intricacies of the text. My father was a *mithnaged*: literally, "an opponent," that is, an opponent of Hasidism. Or one who preferred study to rapture.

The Mithnagdim represent a Jewish spirituality in which study figures as the supreme religious act. Little-known today outside of Orthodox circles, this tradition, which Allan Nadler makes accessible in his important book, helpfully complicates our understanding, not only of Judaism, but of the varieties of religious meaning. Mithnagdism broaches the difficult question of the relationship of the spiritual and the intellectual.

Mithnagdism, or *Hitnagdut*, crystallized in the late eighteenth and early nineteenth century in opposition to the spread of Hasidism. Then as now, Hasidism captured many imaginations with its mix of the exalted and the mundane, its popular dissemination of hitherto esoteric Kabbalistic doctrines, and its projection of exquisite metaphysical motions onto the inner lives of individuals. Its broad appeal, down to the present day, is not at all surprising. It is picturesque and soulful. Its mystic enthusiasm, and its storytelling and song, present a perfect spiritual alternative to the intellectually demanding and legally oriented discipline of classical rabbinic Judaism.

Hasidism's appeal is so great that it has become virtually synonymous with the Jewish religion of Eastern Europe. In this learned and valuable book, Nadler seeks to deepen our picture of that spiritual landscape by recapturing the vivid religiosity of Hasidism's principled opponents, who themselves cast a long shadow to the present. Amid today's popular and academic concern with "spirituality"—reflecting a disenchantment with intellect and structure, and a near-obsession with personal fulfillment—a second look at the Mithnagdim and the spiritual ideals that they developed is particularly welcome.

The extraordinary philological and historical researches of Gershom Scholem and his successors laid to rest the rationalistic depiction of Judaism offered by the *Wissenschaft des Judentums* of the nineteenth century, by demonstrating the continuity and the vigor of mysticism throughout Jewish history. So good a job did Scholem do that the mystical tradition, and Hasidism in particular, have crowded out other streams of Jewish spirituality, and certainly its anti-Hasidic currents. Indeed, one of the last popular clichés of Jewish history is the depiction of Hasidism's opponents as arid legalists, and even proto-Enlightenment rationalists; yet it too must now be put aside for a fuller appreciation of the variety of Jewish spiritual life.

Throughout Jewish history, mystical activity flourished alongside the study of Talmud, midrash, and other forms of exegesis, and philosophical speculation, with varying emphasis and intensity over time and place. All these forms of creativity could regularly be found within the same rabbis. Hasidism and Mithnagdism emerged out of this fertile terrain. Where Hasidism differed was in its commitment to the popularization and the internalization of mystical ideas, which in turn changed the shape and meaning of those ideas themselves. Thus Hasidism depicted the dynamic interaction of divine energies explored by the Kabbalists as being played out in the inner lives of individuals, whose own rises and falls mirrored the travails of the supernal worlds; and the Kabbalah's appreciation of divine immanence, which simultaneously reinforced the significance of the terrestrial concerns of *halakha*, Talmudic law, and offered a counterpoint to the fixities of that same law, was taken to far-reaching conclusions, with a near-sanctification of bodily function and communal life.

The well-known opposition to Hasidism by many leading rabbis of the day has long been seen as variously arising from a rejection of Kabbalistic doctrine, differing understandings of divine im-

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manence, or class bias. Nadler joins a growing body of opinion arguing instead that the opposition to Hasidism was based not on the rejection of mysticism, but on the rejection of its popularization. And this, as Nadler shows in his most innovative chapters, was rooted in a deeply pessimistic view of the possibilities of widespread human perfection.

Any examination of *Hitnagdut* must begin with the career and ideas of Hasidism's first and most influential critic, Elijah ben Solomon of Vilna (or Vilnius), known as the Gaon, or Great One, of Vilna. He was the towering rabbinic figure of the eighteenth century, and one of the greatest masters of rabbinical learning in any century. The Gaon, who held no official position and confined his teaching to a small group of disciples, attained magisterial authority by his staggering erudition, his intellectual acuity and originality, and his ascetic piety. His Talmudic method eschewed the labyrinthine dialectics popular in many circles and emphasized instead the plain meaning of the text, and a broad knowledge of the entirety of rabbinic literature. His painstaking efforts to establish accurate versions of texts made him a forerunner of modern critical scholarship; and more importantly, he taught by example that textual study could be an act of supreme religious devotion. *Talmud Torah*, or the ideal of study as itself a high form of worship, had been a major theme of rabbinic culture since antiquity, but in the Gaon's example that ideal took on an intensity that burned itself into the minds of his followers.

The Gaon was no stranger to the Kabbalah. He composed commentaries on the Zohar (the central text of the Kabbalah, composed in the thirteenth century but traditionally ascribed to rabbis of the early Talmudic period) and other mystical texts, and a number of his closest disciples were accomplished students of mysticism. But they regarded that study as appropriate only to those who had first steeped themselves in the vast literature of the Halakha, the extensive body of Jewish law, and conducted themselves with unimpeachable piety. It is worth noting that the Gaon's disciples referred to him, without irony, as "the Hasid." The term itself, which originates in the Bible, has a long history, connoting deep benevolence and transformative piety. The Mithnagdic quarrel was not with that ideal as such, but with Hasidism's contention that it could be realized by the masses.

Recent scholarship has shown that the early Hasidim were not, as commonly supposed, of the common folk, but members themselves of the rabbinic fraternity. Some, such as Shneur Zalman of Liady (1745-1812), the founder of today's Lubavitch movement, were acknowledged masters of the law. The appellation *Ba'al Shem Tov*, or Master of the Good Name, given the founder of Hasidism, Israel ben Eliezer of Medzhibozh, was a common designation for the seers and the shamans who served as community functionaries—alongside rabbis, scribes, butchers, and others—in the communities of Eastern Europe; and he himself was well-integrated into the structure of his community. Nor are the roots of Mithnagdic opposition to Hasidism entirely to be found, as some have thought, in differing understandings of the notion of divine immanence in the material world. Early Hasidic and Mithnagdic thinkers alike believed that ultimately the divine presence permeates both the seen and the unseen worlds. Yet the Mithnagdim, as Nadler observes, "were intent on preserving the distinction between the human and divine perspectives on the nature of the cosmos, in sharp contrast to their Hasidic contemporaries, whose goal was the obliteration of that distinction."

What the Mithnagdim feared above all was the antinomian potential of mystical enthusiasm—the effacing of boundaries, metaphysical and mundane, in the popular embrace of an immanent divinity, unmoored in the rigors of study and obedience to the law. This, Nadler maintains, derived in turn from a deep pessimism about the human condition and the attainment of spiritual perfection in the prisonhouse of this world. Nadler's greatest contribution is the light that he casts on Mithnagdic pessimism. He demonstrates at length that they held very little hope for this life, and so they refused to accept Hasidic claims as to the possibility of spiritual transformation.

Consider their attitude toward death. A rich tradition of Kabbalistic thought saw the transfiguration of death, and the enactment of mystical death, as an avenue of profound spiritual experience. Through deep meditations, ritual simulations of death, and the characterization of martyrdom as the ultimate devotion, generations of mystics (as Michael Fishbane has written) "cultivated dimensions of death for the sake of higher levels of spiritual awareness." These practices took a more popular turn in the seventeenth century, which saw a proliferation of funerary rituals and meditative tracts centering on death as part of a broader effervescence of new rituals; and this resulted, in large part, from the spread of Kabbalistic ideas among broader sectors of Jewish society, and with it a more pervasive awareness of the metaphysical reach of human action beyond this corporeal life.

Not for the Mithnagdim. For them, in Nadler's telling, real death was the only release from this world's relentless imperfection. "For most of the classical Hasidic thinkers," he writes, death was "an ascent, most often the final elevation, of the human soul ... the culmination of the religious works already partially attained in this world, and ... life's final, crowning spiritual achievement." For the Hasidim, the erasure of the self in death climaxed the *bittul ha'yesh*, the dissolution of the self and the material world through meditative practices. But the Gaon of Vilna, Nadler says, "assumed a diametrically opposed position ... namely, that the descent of the soul into the body is its worst torment and that, far from allowing for even greater perception of the godly realms, corporeal existence hopelessly obscures the divine domain from the human senses."

In an astounding exegesis of Adam's sin, the Gaon wrote that the introduction of death into human experience was actually a blessing in disguise, "for there is nothing better for man than the decomposition of his physical matter." And his disciples furthered this view, with statements such as Eliezer Segal of Pinsk's admonition that death "is an act of compassion and mercy. For now that Adam has eaten of the tree, man must die in order to attain his true purpose. Thus did God explain to Moses that 'no man can behold Me and live.'" In 1825, Zevi Hirsch Katzenellenbogen, a later disciple, went so far as to say that an early death is to be welcomed: "Why bother with a needless delay here? Its only result will be the deviation from the right path and descent into the ways of sin." For Mithnagdic thinkers, the soul's habitation in the body was a torment, an ordeal to be met and mastered, and not an opportunity, as the Hasidim taught, for the redemption of the material world. The human body was a jail, not a vessel of transcendent experience or an arena for spiritual perfection.

One element of Hasidic religion that Nadler treats only briefly, though it stimulated much Mithnagdic ire, was the veneration of the Tzaddik, literally the "righteous man." Like "Hasid," the term "Tzaddik" has a long and venerable history. In their

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reinterpretation of Kabbalistic doctrines, Hasidim came to regard the Tzaddik, or the Rebbe, not only as the leader of the flock and the steward of its material needs, but also as the mediating vessel of transcendence. But this charismatic authority was seen by the Mithnagdim as a dangerous alternative to the authority of the law. (A contemporary illustration of the perils of the Tzaddik idea may be seen in the extreme veneration of the recently deceased Lubavitcher Rebbe as the Messiah by a significant number of his followers. Nadler discussed this phenomenon in his influential essay "Last Exit to Brooklyn," in TNR, May 4, 1992.)

These theological arguments had practical effects. The maintenance of halakhically fixed times for prayer was an early and telling bone of contention. Jewish law channels the obligation to pray through a series of prescriptions of place, manner, and time—morning prayers to be done by mid-morning, afternoon prayers before sunset, evening prayers thereafter, all according to detailed specifications. Over the centuries, modes of contemplative prayer, first suggested in the Talmud, were developed by the Kabbalists into elaborate practices aimed not only at the spiritual elevation of the individual beyond the mundane but, more dramatically, at the healing of God. Drawing on the metaphysical powers of the Hebrew language, Kabbalistic prayer sought nothing less than the repair of the Name of God, which had been shattered, according to the Lurianic cosmogony, in the creation of the world.

Hasidic prayer took even this radical understanding of prayer a step further and, in keeping with its focus on the inner life, sought the dissolution of the self into God in prayer, by means of deep meditation on the sounds and the words of the liturgy. Thus, Nadler writes, "in Hasidism, contemplative, mystical prayer became man's most important personal religious obligation, upon which no limitations, temporal or literal, might reasonably be set." Taken with Hasidism's commitment to the popular dissemination of these ideas, in part so as to afford a stirring religious vehicle to the masses who were not themselves Talmudic masters, prayer became a flash-point for confrontation over the nature and the structure of religious experience, the reach of legal obligation, and the nature of rabbinic authority. Prayer's displacement of Torah study as the supreme religious act engendered a willingness to play fast and loose with the legally mandated forms of its expression, with the sanction of the Rebbe. Coming not long after the mystical antinomianism set loose by the Sabbatian movement of the late seventeenth century, this was seen by the Mithnagdim as a reckless attack on the very foundations of traditional Jewish practice.

A vigorous response was not long in coming. Nadler directs particular attention to the works of Phinehas ben Judah of Polotsk, a disciple of the Gaon of Vilna and one of the best-known Mithnagdic preachers of his day. Phinehas was not a major thinker, but he is a useful representative of the Mithnagdic temper. In book after book over several decades, Phinehas reminded the masses of their responsibilities and urged them to direct their religious energies through the study of Torah and faithful adherence to the Halakha. His *Kether Torah*, or *The Crown of Torah*, first published in 1788, offered a scathing criticism of conventional understandings of spirituality and, in keeping with the Mithnagdic understanding of death, provided harrowing meditations on the inevitable putrefaction of a life unmastered by Torah. In the book's early chapters, he systematically surveys the seemingly pious and high-minded forms of religious life—introspection, the desire for union with God, kabbalistic exercises, solitary study and devotion, self-abnegation before the unlettered—and dismisses them all as not only solipsistic, but, more interestingly, as seductive ploys by Satan to lure the unwary from the true locus of divine service, namely the house of study. Thus Phinehas warns that "Satan will whisper to the unsuspecting scholar, 'It would be good for you to cut back on study and pursue mitzvot [good deeds]....' Yet his entire aim is to lead you from the house of study, which is the altar on which [Satan] is slaughtered."

Like his master the Gaon of Vilna, Phinehas regards the study of Kabbalah as the pinnacle of scholarly and religious attainment—but a pinnacle attained only after long and arduous study of the Talmudic corpus (which study, in fellowship with other students of Torah, is the supreme act of religious devotion). Here we begin to see the Mithnagdim's deepest contribution to the religious life of humanity, the ideal of *Torah Li'Shma*, "Torah for its own sake," of ceaseless study as the truest union of divine immanence and transcendence in the life of the individual and the community.

This ideal found its supreme expression in a treatise called *Nefesh Ha' Hayyim*, or *The Soul of Life*, the masterpiece of Hayyim of Volozhin, the Gaon's preeminent disciple and the founder, in 1803, of the Volozhin yeshiva, the largest and most influential of modern rabbinic academies. Hayyim of Volozhin enjoyed cordial relations with his Hasidic contemporaries, and the anti-Hasidic polemics in his book are contained in an appendix of uncertain provenance. His educational program was aimed less at combatting Hasidism as such than at embodying the ideal of Torah study in an institution, the first of its kind, that would train, in a university-type setting, an elite corps of Talmudists drawn from a broad geographic area and taught by rabbis unencumbered by communal responsibilities.

Hayyim of Volozhin's achievement was to endow Torah study with fantastic metaphysical properties. In his hands, study became the only true form of transcendence available in this corrupt and fallen world. Drawing on passages in the Zohar, which attribute to the Torah a pre-existence to the creation of the universe, and characterize it as the blueprint of all of creation (in an intriguing echo of Islamic discussions of the uncreatedness of the Qu'ran), Hayyim of Volozhin argued that Torah study offers the sole avenue of escape from the metaphysical and earthly complexities of the world, and the possibility of communion with God:

> And the reason for this is that the hidden supernal source of the holy Torah is high above all the universes ... all of whose existences are entirely dependent on our preoccupation and study of her ... unlike all the other commandments, including prayer, which, if God forbid we fail to perform, the universe would not revert to the chaos of creation ... while engagement with the holy Torah touches upon the very life and sustenance of the universes ...

In Hayyim of Volozhin's view, study can break the stranglehold of temporality and create an entrepôt for eternity into this world. The prosaic character of much of the Talmudic legal corpus itself makes this transfiguration readily available to one and all. Any Jew who applies himself to the study of the law can sustain all the seen and unseen worlds and find redemption as his eyes meet the page.

Nadler's book ends in the early nineteenth century. As the decades wore on, the Hasidim and the Mithnagdim buried many of their differences to join forces against the common enemy of

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modernity, which was encroaching on Eastern Europe in its various forms of secularism, socialism, and nationalism. Hasidism became steadily institutionalized and routinized. While it continued to produce some audacious and profound thinkers until the middle of this century, it lost its creativity as a mass movement. For their part, the Mithnagdim steadily excised Kabbalah and most other non-Talmudic studies from the curricula of their expanding network of academies. Aside from the small but influential Mussar movement, which encouraged yeshiva students to engage in radical introspection and strenuous moral reckoning, it showed less and less interest in any religious expression outside the orbit of Talmudic study. Today, the assertive ultra-Orthodox communities of Israel and America are organized around their academies, theologically quiescent and entirely self-contained.

Allan Nadler has performed a great service by bringing the Mithnagdim more to light. The spiritual universe that he has unearthed with erudition, imagination, and care is now more accessible to students of Jewish history and of religion in general. But what are we today to make of this Mithnagdic sensibility, so at odds with all we think of as "religious" or even "spiritual"? What variety of religious experience is this? Indeed, the historical experience of Mithnagdism highlights the inability of current categories of "religion" to capture spiritual traditions that express themselves in terms of study and law.

In looking at Mithnagdic religion, one is struck above all by its austerity. This is a religious life in which ecstasy and enchantment are secondary and suspect, and displaced by a humbled devotion to the work of the mind and the study of the text. There is a powerfully self-denying quality to Mithnagdic religion, in its willful renunciation of the search for transcendence. This sacrificing of one's longings on the altar of sacred study is its own severe faith. It is a religion of lowliness, of submission; a permanent prostration before a divine authority, perfect, infinite, and whole, existing outside of us, which can secure us against our own fallibility and our drift in the world.

This cautious approach toward one's own religious desires, this skepticism about enthusiasm in the name of God, is a powerful and useful corrective to the self-centeredness of much of what we call "spirituality," and a powerful anchor for the ethical dimension of religious life. For the attractions of authority and self-abnegation are only partially psychological. They are also existential and moral—which is why, in our own time, Emmanuel Levinas's effort to install ethics at the center of philosophy, and Joseph Soloveitchik's eschewal of romantic religion in favor of a moral and intellectual engagement with the world through the law, and Yeshayahu Leibowitz's devastating criticisms of nationalist idolatry, could all draw on Hayyim of Volozhin and the traditions of Mithnagdic austerity.

A healthy suspicion of personal enthusiasm is surely a corrective to the cult of self-fulfillment. But can this really be the whole story? The longings for transcendence, for unity of thought and feeling, for connection to the world around us and to the masses of humanity who will never be scholars—surely these longings, too, are ineradicable, and God-given, and parts of our human constitution. A faith that makes no room for them will wither on the vine. For study and service to become worship, surely there must also be joy.

The Mithnagdim themselves were not entirely joyless. Here Nadler scants a crucial element of their life, and makes them seem a little more terrifying than they really were. They most certainly did imbue Torah study with joy, with passion. To set foot in a *beit midrash*, a house of study, with its long tables heaped with books and clusters of students analyzing texts aloud, is to be plunged into an exuberance of sight and sound, a living conversation of past and present. This is study as worship, a thoroughgoing consecration of the life of the mind. In an extraordinary passage, which Nadler mentions but does not quote, Phinehas ben Judah of Polotsk leaves his readers with an idyll of the house of study as the realization of perfect community:

> And happy the eye that could see the community of scholars in its proper place, all studying in groups preoccupied with Torah and Talmud ... and among them the elders and wise, and the children of the wealthy who had rejected the vanities of this world and would study with the children of the poor, from whom (the Talmud says) the Torah will emerge.... The house of study was full of Torah, full of piety, full of humility, with no wandering or sleep or frivolity or idle chatter. It was a sort of Eden, where the righteous would dwell in their glory and enjoy the splendor of the Torah ... and God would listen to them, to hear what they were saying, and He would love them.

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TRB *continued from page 6*

lent crime, deregulated vast industries, eliminated the federal budget deficit, reformed its welfare system, downsized its military, and tackled entitlement growth. Has it done so despite a political system characterized by weak parties and a fractionated government made up of a House, Senate, president, and multiple courts—not to mention 50 states and myriad localities—or because of it? Pundits and academics never tire of bemoaning the corruption, disorder, and argument endemic to our sprawling, contentious system. But, just as our free-wheeling economic system encourages creativity, the great strength of our democracy is the way it allows for, indeed encourages, the emergence of new ideas and new leaders. Would national welfare reform have succeeded without the experimentation carried out in states such as New Jersey and Wisconsin? Ross Perot is an obnoxious arriviste; such a flamboyant character could never rise through the ranks of Japan's disciplined political parties. But, without the scare he gave the Republicans and the Democrats, Washington might not have addressed his followers' biggest concern: the budget deficit.

To be sure, Japan did not create its political system by itself. Its constitution was devised—and its political class anointed—by the American occupiers after World War II. The U.S. was specifically intent on preventing the rise of powerful leaders who might lead Japan back down the dangerous road of nationalism. But, today, both American and Japanese interests would be served by the cultivation of dynamic new political practices, values, and personalities.

Of course, this could be even more difficult than reforming the Japanese economy. Not only does a more open style of democracy go against the grain of Japanese culture, but the Japanese still do not entirely trust themselves to handle a true free market in ideas. One reason is that it could indeed create new space for neo-nationalists, many of whom are dangerously anti-American, or harbor loopy notions about reconstructing a stronger and more aggressive Japanese military. While economic reform will benefit most Japanese, those groups who do suffer could easily fall under the sway of demagogues.

But this is a risk Japan must accept. The longer the government postpones change, the more painful that change will be when it inevitably comes. Japan cannot establish a truly modern economy without simultaneously building a truly modern democracy.

CHARLES LANE

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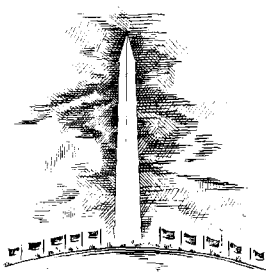
WASHINGTON DIARIST

The end of the story

SANDY HUME, A REPORTER WITH *The Hill* newspaper, spent his days piecing together narratives, sifting through facts and spinning them into stories. Every Wednesday they appeared, usually in the top right-hand corner of the front page. Like most great detectives, he had his own quirky methods for gathering information, which usually infuriated his superiors, including me during my two years as *The Hill*'s executive editor. While his colleagues diligently worked the phones, Sandy would read the sports pages. During editorial meetings, he'd sit in the back, yawning and spitting tobacco juice into a Styrofoam cup. Every Friday, after lunch, he'd announce loudly, "I'm going to talk to my sources" and disappear for the rest of the afternoon. Then, on Mondays, he would burst into the office, usually around 11 a.m., with his hair still wet from a shower and his press pass around his neck, as if he had actually just returned from a news conference. Only on Tuesdays, as the deadline approached, did he curl the phone against his ear and exchange whispers with his mysterious sources—senators, congressmen, staffers, secretaries. He took all his notes longhand, on a small stenographer's pad. And, just before I would scream for the articles, he would furiously start typing, filing one story, then another, and sometimes even a third, cursing me for not giving him enough time. Occasionally, one of the editors would spike a story, just to teach him a lesson; but usually they were too good to hold. Splicing together fragments of data, hidden agendas, and bits of trivia, he explained the politics of politics, the secret deals and backroom bargains. His most famous story, detailing the attempted coup against House Speaker Newt Gingrich last summer, solidified his reputation.

THOUGH ATTACKED BY ENVIOUS reporters and angry Republicans, the story held: the facts were irrefutable. Shortly thereafter, *The New York Times* hailed him as a rising star, and the Fox News Channel signed him on as a regular commentator. In February, *U.S. News & World Report* offered him a job; the next day, *The Weekly Standard* did, too. There was a neat line, a clarity and an angle to his own evolving narrative. Then, two days later, he wrote one last story and killed himself. He was 28 years old.

REPORTERS, BY NECESSITY, GATHER information from the living; even crime reporters and war correspondents speak to survivors in pursuit of the dead. Yet, when someone commits suicide, there is only one person who can truly explain what happened, and he is implacably silent. Thus, suicide subverts the very nature of narrative. It thwarts coherence. There is no story line, just unconnected fragments, a jumble.



IN SANDY'S CASE, these are the facts: He was 5'11" and weighed nearly 170 pounds. He smoked Marlboro lights and wore Brooks Brothers loafers that pinched his toes. He was a recovering alcoholic who kept a photo from when he had hit bottom to remind himself of what he had once been. He woke his friends at three o'clock in the morning with bits of gossip. He stored a copy of P.J. O'Rourke's *Parliament of Whores* under his desk. He ate grilled chicken sandwiches with bacon on the side for lunch. He hunted pheasants in the backwoods of Virginia. He snacked on blueberry doughnuts and Oreos, one of which he left on his desk, half-eaten, when he left work for the last time.

THEN THERE IS THE STORY FROM the night before he died: On February 21, he went out with his high school friends and drank—something he had begun to do again despite his fears of liquor. According to his friends, he seemed happy. On top of his own success, his sister, with whom he was close, was getting married in three weeks. Around two o'clock in the morning, he got into his car and sped home. As he raced along, driving 75 miles an hour in a 45-mile-per-hour zone, the police chased him—past one exit, then another, until his car stalled. He refused to take a Breathalyzer test: Why confirm the facts? An officer threw him into an empty cell at the Park Police Central Booking Station at Hains Point. A few minutes later, he tried to strangle himself with his shoelace.

IN JOURNALISM, WE CALL WHAT WE write pieces, for they are, in fact, only pieces: those parts of the tapestry we can confirm. In the end, they have only the illusion of wholeness. Two weeks before Sandy died, he called me for help on a freelance story he was writing. It's a mess, he told me sourly. Together, we did what we always did: connected some of the facts and revised the narrative line. A few days later, he called back to say it was going better. After his death, I wondered what had happened to the story and called one of the magazine's editors. It was still, he explained, a bunch of fragments.

THE PARK POLICE RUSHED SANDY to D.C. General Hospital, which, after treating his injuries, transferred him to a nearby psychiatric ward. There, he did what he did best: told stories. They apparently were so convincing that the staff let him go several hours later. When his friends picked him up, he maintained he had only gone to the hospital because he had injured his hand. At home, he pulled on a turtleneck to cover the bruises on his neck. The woman he had recently been dating said goodbye later that night, thinking everything was okay. After spending his life ferreting out the truth about others, he had mastered all the ways to conceal his own.

EVEN SO, SANDY MADE ONE LAST effort to explain things with words. In a handwritten note, he said how sorry he was, how he had failed everyone by what he had done. He then picked up his hunting rifle and shot himself in the head. The next day, the story went out on the AP wire—fewer than 300 words. When I learned the news, all I could think was: How can we revise the ending?

IN LIFE, WHEN THE FACTS DO NOT make sense, we simply imagine a rational order: We put an ending where there is only a beginning and a beginning where there is only an ending. After Sandy's death, rumors and conspiracy theories swirled around Washington. "Sandy Hume is dead because he knew too much of the Arkansas Project," wrote one person on the Web. "He had the goods on the Snow/Tripp/Goldberg/Starr connection." "Hume murdered," declared another. The need for coherence, it often turns out, is more important than the need for truth.

AT HIS FUNERAL, HIS FRIENDS AND family did what Sandy would have done: shared anecdotes. Strung together, they were the closest thing to a complete story, a way to make sure the facts of his death did not overshadow the pieces of his life.

DAVID GRANN

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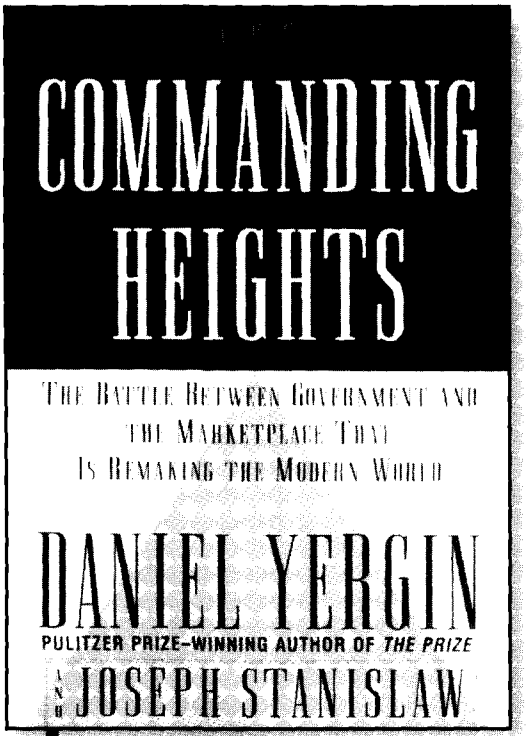
From the Pulitzer Prize-winning author of *The Prize*



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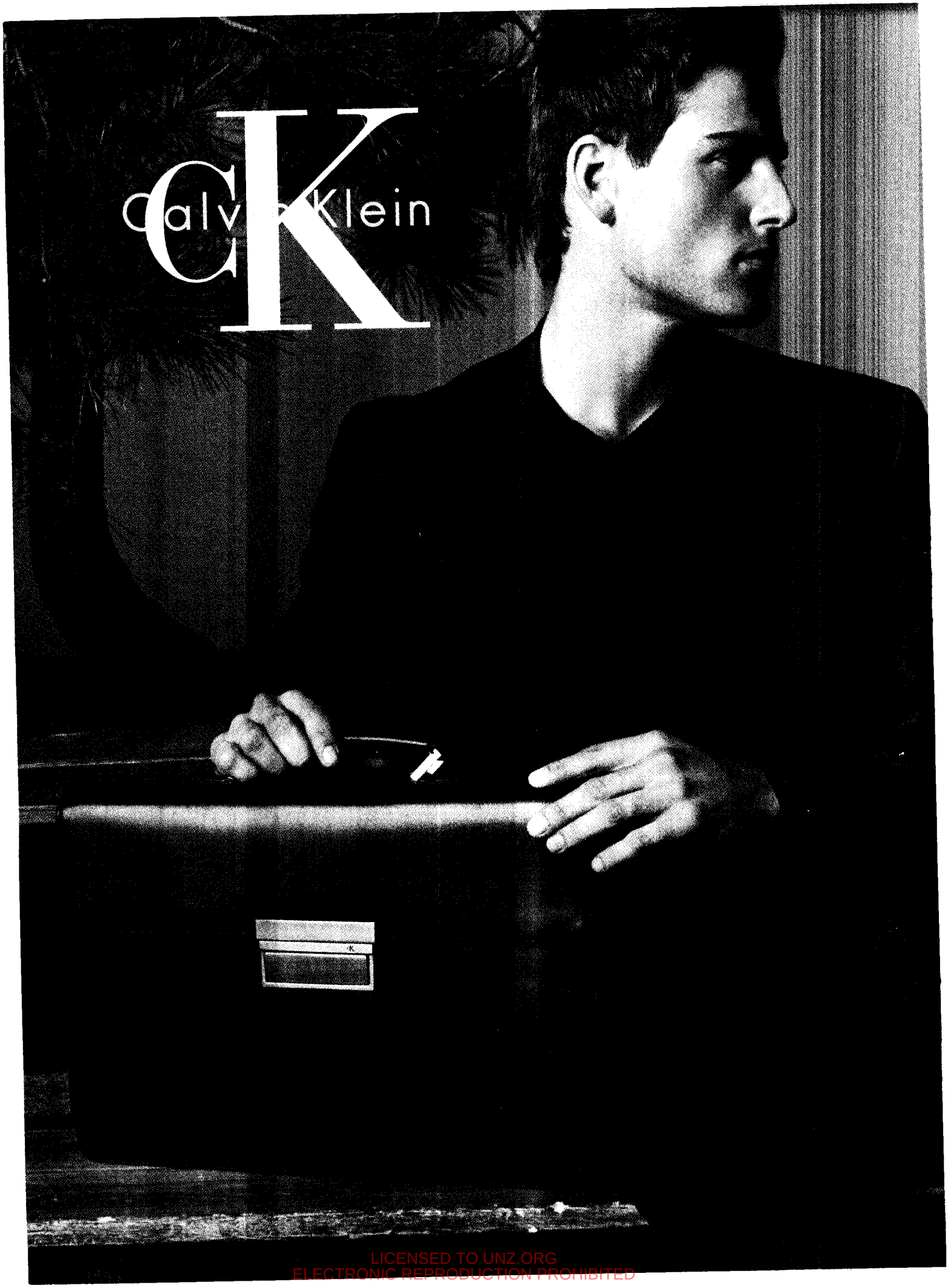

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